

State Board for Financing Water Projects

*Public Meeting
August 23, 2006*

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STATE OF NEVADA
STATE BOARD FOR FINANCING WATER PROJECTS
TRANSCRIPT OF PROCEEDINGS
PUBLIC MEETING
WEDNESDAY, AUGUST 23, 2006
CARSON CITY, NEVADA

APPEARANCES:

THE BOARD: KURT E. KRAMER, Chairman
BRUCE SCOTT, Member
STEPHANNE ZIMMERMAN, Member
BRAD GOETSCH, Member
ROBERT E. FIRTH, Member
DANA PENNINGTON, Non-Voting
Member

FOR THE BOARD: NHU Q. HUYEN

Deputy Attorney General
ADELE BASHAM, P.E.
Technical Assistant
Director, DWSRF Program
MICHELLE STAMATES, Engineer
MARCY McDERMOTT
Administrative Assistant

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[1] CARSON CITY, NEVADA, WEDNESDAY, AUGUST 23, 2006, 8:00
A.M.

[2]
[3]

[4] **CHAIRMAN KRAMER:** I'd like to call the State
[5] Board of Financing Water Projects meeting to order and get
[6] started with the agenda. It's going to be a long day I
[7] think. We're going to start off with introductions and roll
[8] call and between that and the approval of the minutes I've
[9] got a couple of public comments or Board comments that I
[10] wanted to make while people are still here instead of at the
[11] end of the meeting, and then we'll move on to the approval
[12] of the minutes.

[13] In this introduction part we'd like to have all
[14] the Board introduce themselves and then everybody in the
[15] audience introduce yourselves so if we have a problem with
[16] you we can yell at you and use your first name. I'm
[17] kidding.

[18] (Introductions and roll call were had.)

[19] **CHAIRMAN KRAMER:** The comments that I want to
[20] make as Chairman of the Board concern something that has
[21] happened here in the near past. The Board took a field trip
[22] here several weeks ago and it became very apparent to those
[23] Board Members who could attend, some Board Members

[24] couldn't
[25] attend simply because of their schedules, but it became very
apparent to those Board Members that did attend and staff

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[1] that went with us that it is extremely important that the
[2] Board whenever it can get out and look at these projects,
[3] especially projects that are quasi-controversial or we don't
[4] understand what's going on, it helps us get a better idea of
[5] where we're going.

[6] As an example, when we were up north we were
[7] looking at Golconda, the tank. They had wanted to put the
[8] tank in one place and when getting into the field it looked
[9] like it should go in another place, so we made a
[10] recommendation because we could see it in the field.

[11] It's those types of situations that I think are
[12] very important and as long as I'm Chairman I'm going to push
[13] the Board to go out in the field as much as possible, and
[14] with that in mind I had an idea. I don't think it violates
[15] anything. Nhu can tell me if it does.

[16] When staff goes out, because our staff, Michelle
[17] and Siefert from water go out and do their inspections, if
[18] our staff will let the Board know by email when they're
[19] going to go out to look at a project, if there's any of the
[20] Board Members that want to go on that particular day, get a
[21] hold of Michelle and go with her and least of all maybe
[22] nobody can go for that one but I think it's important to go
[23] and look at these ones that we've funded, but especially the
[24] ones coming up.

[25] It helps the applicant, it helps the staff and

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[1] Board Members can come back and say, well, I saw this on the
[2] tank, no, it shouldn't go there, it goes there but I think
[3] it should go there type of thing. So I would urge the Board
[4] Members to contact or have Michelle contact the Board
[5] Members with an e-mail of every time they're going to go out
[6] and maybe somebody will want to go or not. That's one
[7] issue.

[8] The other issue is I received a letter from the
[9] law offices of Walter Labinky (phonetic) on the Bishop Creek
[10] project we heard. This letter we received based upon the
[11] fact that we went out on a field trip and this letter is
[12] thanking the Board for showing up on a field trip, and it
[13] really helped them to know that we really care enough to
[14] come out and look at this stuff and see it firsthand.

[15] I myself when I went out there I had no idea
[16] what I was going to get into or see or whatever else and I
[17] came away with a completely different understanding of the
[18] project and the issues involved, although I keep an open
[19] mind as to what finally happens to the project when we're
[20] moving down that line.

[21] But anyway, this is an example of how
[22] appreciative the applicants are if either one Board Member,
[23] much less a contingency of them, including our attorney, she
[24] went with us, goes out into the field and on the ground sees
[25] what the heck's going on here.

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[1] Well, that was the two things that I wanted to
[2] bring up while we had an audience today and I don't think
[3] there's a problem with that, Nhu, is there?

[4] **MS. HUYEN:** No, Mr. Chairman, there's no
[5] problem, and actually I think it would be beneficial if
[6] Board Members could go out there and if they have any
[7] questions they can then direct them to staff and come to a
[8] more informed decision.

[9] **CHAIRMAN KRAMER:** And we do have funds in our
[10] budget to cover those issues. You don't have to do it out
[11] of your pocket.

[12] B, approval of minutes from May 3rd, 2006. Do
[13] we have any revisions? Comments? Any anything?

[14] **MEMBER SCOTT:** Mr. Chairman, I would note just
[15] because it's been a while since we made the change, that the
[16] way we've been handling the minutes in the last year and a
[17] half or so to me is a real improvement. They're relatively
[18] easy to reference and they're usually reasonably accurate.

[19] **CHAIRMAN KRAMER:** Well, she's four seats down
[20] from you. That's why you're doing it.

[21] **MEMBER SCOTT:** She does a great job but I really
[22] appreciate the fact not so much to look at between meetings
[23] for the previous meeting but more for the future reference
[24] as we go back through the discussion six months or a year
[25] later and staff can bring it up and present it in the packet

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State Board for Financing Water Projects

[1] like they have.
[2] So with that, I would recommend approval of the
[3] minutes from May 3rd.
[4] **MEMBER ZIMMERMAN:** I second that.
[5] **CHAIRMAN KRAMER:** Any other comments? We have a
[6] motion and a second to approve the minutes. All those in
[7] favor signify by saying aye.
[8] **MEMBER FIRTH:** I'll go on record as abstaining.
[9] I wasn't on the Board at the time of that meeting.
[10] **MEMBER SCOTT:** You could guess.
[11] **MEMBER FIRTH:** I don't think I better do that.
[12] (The vote was unanimously in favor of the
[13] motion with Member Firth abstaining.)
[14] **CHAIRMAN KRAMER:** That takes care of the
[15] minutes. C, Drinking Water State Revolving Fund Program, 1,
[16] discussion and possible approval of loan commitment for the
[17] Three T Water Company which is located in Lyon County?
[18] Washoe County.
[19] **MEMBER FIRTH:** Washoe County.
[20] **CHAIRMAN KRAMER:** I did that on purpose.
[21] **MS. BASHAM:** For the record, I'm Adele Basham.
[22] The Three T Water Company is a small private water system
[23] located approximately 12 months northwest of Reno near the
[24] Red Rock exit off of Highway 395. Three T serves 41 service
[25] connections and a population of approximately 92 people.

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[1] Most of the residents served by Three T are rental units and
[2] the water use is being included in the rent payment. The
[3] source of drinking water is springs.
[4] In January of 2006 Washoe County District Health
[5] determined that the spring sources are directly influenced
[6] by surface water and issued a boil water order. The boil
[7] water record is in order until the Three T Water Company
[8] provides filtration to all waters sources or provides water
[9] from another source.
[10] The spring water flows by gravity into either a
[11] collection sump at a pump house or to a 1,000 gallon storage
[12] tank. Water from a collection sump is pumped to a series of
[13] four tanks with a total capacity of 17,000 gallons.
[14] As the water leaves the collection sump, it's
[15] disinfected with sodium hypochlorite. The drinking water is
[16] gravity fed from the four storage tanks to a 1,000 gallon
[17] storage tank where it can be blended with water from an
[18] additional set of springs which currently are disconnected
[19] from the system because of persistently high total coliform
[20] levels.
[21] From the 1,000 gallon storage tank it flows from
[22] gravity to the residential units through a two-inch pipe.
[23] The proposed project includes replacing the series of four
[24] storage tanks with a 25,000 gallon steel storage tank,
[25] construction of a new building with a membrane filtration

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[1] treatment system for microbiological treatment, additional
[2] back-up power at the pump house and site investigation which
[3] includes location of pipelines and springs.
[4] Five project alternatives were considered.
[5] After carefully considering the issues related to design,
[6] construction, implementation, operation and cost, the
[7] alternative to add filtration to the existing spring water
[8] system was selected. NDEP determined that two elements of
[9] the proposed project be tracer experiments and pipeline to
[10] connect the springs near the 1,000 gallon tank to the pump
[11] house collection are not necessary.
[12] The proposed tracer studies were intended to
[13] determine the influence of surface water on the springs.
[14] However, based on conversations with Washoe County District
[15] Health, the health district has determined that the springs
[16] are directly influenced by surface water and the studies are
[17] not going to change that determination.
[18] A pipeline from the springs near the 1,000
[19] gallon tank to the pump house would be required to treat
[20] these additional spring sources. However, additional source
[21] water capacity is not needed at this time.
[22] The proposed project is eligible for categorical
[23] exclusion from the environmental review process. Notice of
[24] the proposed categorical exclusion determination was
[25] published in the Reno Gazette-Journal on August 2nd. The

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[1] notice was also circulated through the Nevada State
[2] Clearinghouse and sent to a mailing list. To date no
[3] negative comments have been received. If at the end of the
[4] 30-day comment period no additional comments are received,
[5] the categorical exclusion can be granted.
[6] The 2006 Drinking Water SRF intended use plan
[7] establishes minimum criteria to qualify for a disadvantaged
[8] program which allows for a reduced or zero interest loan.
[9] Three T meets the minimum criteria to qualify for the
[10] disadvantaged program. The intended use plan specified that
[11] priority for the disadvantaged program will be given to
[12] projects that result in consolidation of water systems and
[13] the elimination of a water system that is lacking technical,
[14] managerial and financial capacity.
[15] The Three T Water Company project does not
[16] result in consolidation. However, due to the nature of the
[17] public health threat it is an important project and NDEP has
[18] determined that it is eligible for the disadvantaged
[19] program.
[20] The Three T Water Company appears to have the
[21] capability to repay the loan through income from the rental
[22] properties. As of August 1st, 2006, the Drinking Water
[23] State Revolving Fund has 3,445,600 available for new
[24] projects.
[25] NDEP recommends that the Board approve a loan

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[1] commitment in the amount of 231,000. NDEP and Three T will
[2] agree on the security for the loan as part of the loan
[3] contract negotiation process. The loan will be for a term
[4] not to exceed 20 years at zero percent interest. There is a
[5] resolution in your binder and there are representatives from
[6] Three T and Washoe County District Health here today.

[7] **CHAIRMAN KRAMER:** Are there any questions of
[8] staff first before we ask them to come up? Bob or Bruce?

[9] **MEMBER SCOTT:** I was going to ask if the system
[10] is metered.

[11] **MS. BASHAM:** I don't believe it is.

[12] **MEMBER SCOTT:** I had one other question I guess
[13] and I'll throw it out and we can see how it's best answered.
[14] Roughly 25 percent of construction cost is permits. That
[15] really seems for what is clearly low cost housing to be,
[16] especially when there's a negative declaration on the
[17] environmental, I'd really like to know more about where
[18] those costs are coming from.

[19] **CHAIRMAN KRAMER:** Do we have representatives
[20] here?

[21] **MS. WREN:** My name is Dora Wren. The permitting
[22] costs as part of this project for construction, we had to
[23] have a special use permit for the city of Reno and because
[24] it's in the planning area between Washoe County and the city
[25] of Reno we had to do a map saying that we would annex the

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[1] property into the city when it became contiguous. Those
[2] fees were almost \$18,000.

[3] Then we had to have a building permit and that
[4] makes up the difference between the 18,000 and what the
[5] permit fees are outlined in the application.

[6] **MEMBER SCOTT:** Is there any ombudsman or anybody
[7] that could look at this from the standpoint of does this
[8] really need that kind of -

[9] **MS. WREN:** It absolutely has to be there. When
[10] you look at the building permit fees their application
[11] fees —

[12] **MEMBER SCOTT:** I understand it's probably all
[13] laid out. I'm just wondering in a case like this it's not
[14] quite the same as some of the other things, and I don't know
[15] and it's really not our purview, I just say that's a huge
[16] amount in my mind especially for what is clearly folks that
[17] are probably not in the highest income levels and it just
[18] seems to me that it's unfortunate if that really has to be
[19] that high.

[20] **MS. WREN:** The only thing that we could probably
[21] do is petition the city council to waive those fees.

[22] **MEMBER SCOTT:** It's somebody else's business but
[23] I would sure like to see that go into something worthwhile
[24] in the system as opposed to getting lost in a much larger
[25] general fund permit fee. That's just a personal opinion.

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[1] **MS. WREN:** You're absolutely right. It goes to
[2] the city of Reno. Are there any other questions I can
[3] answer?

[4] **MEMBER FIRTH:** Mr. Chairman? First of all, I'm
[5] fairly familiar with this system and I would have a number
[6] of questions. The Truckee Meadows Water Authority
[7] facilities are right close by and I was wondering why that
[8] alternative was so high as half a million dollars to connect
[9] to them.

[10] **MS. WREN:** That we would have to ask Carla, the
[11] engineer. She did that part of it.

[12] **MS. DUNCAN:** Carla Duncan, Shaw Engineering.
[13] That alternative was very high because of the need to cross
[14] underneath 395 to tap into that system.

[15] **MEMBER FIRTH:** And how much was that? For half
[16] a million dollars you can cross that freeway in about ten
[17] different places.

[18] **MS. DUNCAN:** And again permitting costs to cross
[19] underneath an NDOT property were high too and the distance.

[20] **MEMBER SCOTT:** How close, Bob?

[21] **MEMBER FIRTH:** I think they're just on the other
[22] side of the freeway.

[23] **MS. DUNCAN:** It required a pump station.
[24] Because of the elevation difference to enable to get system
[25] pressure you'd need to do that.

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[1] **MEMBER FIRTH:** That just seemed excessively
[2] high. Is this system — I don't know if you can answer
[3] this, are they under the jurisdiction of the Public
[4] Utilities Commission?

[5] **MS. BASHAM:** No.

[6] **MEMBER FIRTH:** Why not?

[7] **MS. BASHAM:** Because they don't charge
[8] separately for water.

[9] **MEMBER FIRTH:** I thought if you had 25 customers
[10] and a certain amount of revenue you automatically were under
[11] their purview.

[12] **MS. BASHAM:** Not if it's included in the rent,
[13] like mobile home parks, when they include water.

[14] **MEMBER FIRTH:** This filtration plant, this is
[15] just to remove biological contaminants I assume?

[16] **MS. DUNCAN:** Yes.

[17] **MEMBER FIRTH:** And there's no chemical
[18] contaminants in the spring water that need to be removed?

[19] **MS. DUNCAN:** No.

[20] **MEMBER FIRTH:** Permits, State Engineer permits,
[21] are they in good standing for diverting the water from those
[22] springs?

[23] **MS. DUNCAN:** Yes.

[24] **MEMBER FIRTH:** I don't know if you can answer
[25] this or not. I have been told that this land and the water

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[1] system are for sale. I guess my question would be I assume
[2] if this is approved, they would, the owner would sign some
[3] type of a loan agreement and I guess I would assume that
[4] it's binding on heirs and assigns if they sell this system,
[5] the new buyer is obligated to repay the loan?

[6] **MS. DUNCAN:** The sale has already occurred.
[7] Steve Timko is the water system manager and there was a
[8] court case between his mother and his uncle and that has
[9] already been resolved.

[10] **MEMBER FIRTH:** That's an inter-family thing. I
[11] had heard it was for sale to some third party.

[12] **MS. DUNCAN:** I had not heard that.

[13] **MEMBER FIRTH:** I don't expect that you could
[14] answer that. I'm more worried about if it does get sold
[15] that the new owner is obligated to continue to repay this
[16] loan.

[17] **MS. BASHAM:** Yes. We have been working with the
[18] AG's office and will continue to, we still have some little
[19] details to work out. The way I understand it, all the
[20] property is held in trust so we want to make sure that our
[21] loan contract is with the appropriate entity, whether it's
[22] the trust or the individual and that's a good point, and we
[23] always have that concern with these private systems.

[24] **MEMBER FIRTH:** It seems to be a fairly long pay-
[25] back period so if it gets sold in the next year or two and

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[1] this is such an unusual situation where there's no real rate
[2] base, it's just part of your rent, and if you sell the land
[3] and the houses, I guess you automatically sell the water
[4] system.

[5] **MEMBER ZIMMERMAN:** Does the loan get recorded
[6] against the land where the system sits?

[7] **MS. BASHAM:** We haven't worked out those
[8] details. We're looking at probably requiring a bank letter
[9] of credit and then the bank, it would be the bank's
[10] responsibility to make sure that there's the security and
[11] ownership. If the ownership changes I would think the
[12] liability of the debt is part of the ownership of the whole
[13] thing.

[14] **CHAIRMAN KRAMER:** As far as our involvement in
[15] this thing, can't we put that in the resolution?

[16] **MEMBER ZIMMERMAN:** You have the system and the
[17] land and it transfers, so the buyer would deal with that
[18] exemption on the title report before it's transferred.
[19] They're also going to accept responsibility for it, pay it
[20] off or whatever, and that's a good question. If it's not
[21] recorded in some fashion it could get lost in the paper work
[22] if it's not disclosed to the buyer.

[23] **MEMBER FIRTH:** I would think in the agreement,
[24] the loan agreement there should be some provision in there
[25] that upon sale, that that's binding on heirs and assigns.

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[1] **MEMBER ZIMMERMAN:** You can do that as well but
[2] definitely on the title it's out for the world to see, the
[3] buyer does not have to see the document to see that there's
[4] an assignment cost. I would definitely look into that.

[5] **MEMBER FIRTH:** I understand. Does Shaw
[6] Engineering manage this system for them and are you going
[7] operate the filtration plant for them?

[8] **MS. DUNCAN:** No, we do not. It's a company
[9] called SPB.

[10] **MEMBER FIRTH:** Isn't that associated with Shaw
[11] Engineering?

[12] **CHAIRMAN KRAMER:** It's an offshoot.

[13] **MS. DUNCAN:** Yes, the S part was George Shaw who
[14] recently passed away.

[15] **MEMBER FIRTH:** You will have a contract with
[16] them? The last thing I'd like to see is to install this
[17] filtration equipment and then not have anybody to take care
[18] of it.

[19] **MS. DUNCAN:** Three T has a contract with SPB.
[20] They've been using them for two years I believe and they
[21] will continue with that, and I have talked with SPB, Kirk
[22] Peterson about the maintenance of the filtration and he
[23] approved the system.

[24] **MEMBER FIRTH:** If this loan is approved, when
[25] according to your schedule, when would this plant be

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[1] operational?

[2] **MS. DUNCAN:** Very soon. I'd like to put this
[3] project out to bid in the next week and then open bids
[4] probably about a month from now and then start construction
[5] immediately thereafter.

[6] **MEMBER FIRTH:** The reason I ask that if this
[7] boil water order was issued in January and they've been
[8] sitting there since January —

[9] **MS. DUNCAN:** But they've been maintaining an
[10] adequate chlorine residual.

[11] **MEMBER FIRTH:** Is the help available for that?

[12] **MR. REIGHLEY:** As long as it's operational.

[13] **MEMBER FIRTH:** But I would seem the sooner the
[14] better to get that plant installed and get them back on
[15] track.

[16] **MR. REIGHLEY:** Yes.

[17] **MEMBER FIRTH:** Thank you.

[18] **CHAIRMAN KRAMER:** Further questions from the
[19] Board?

[20] **MEMBER GOETSCH:** I had a couple. In the service
[21] connection and customer and population growth plan I notice
[22] that it looked for additional services to come in. Does the
[23] system have a hookup or an impact kind of fee? My thought
[24] there is that could be used to pay this loan off as well and
[25] if it has as many projects, there are 12 or more hookups and

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[1] a reasonable hookup fee is in the five to 10,000 kind of
[2] range, you could pay back as much as half of this loan just
[3] through new hookups. Is that part of the plan on this?
[4] **MS. DUNCAN:** It is not part of the plan because
[5] currently they don't receive — people that are using the
[6] water do not each receive a water bill, so there is no
[7] mechanism.
[8] **MEMBER GOETSCH:** There's no mechanism for
[9] charging somebody new to hook up into this system that we
[10] fund to help pay for the system?
[11] **MS. WREN:** Anybody hooking up to the system, all
[12] the current users are part of the Timko, they are rentals
[13] owned by Timko, so anybody new would be a Timko rental. So
[14] Timko is putting in this system themselves to add more
[15] users.
[16] **MS. DUNCAN:** And we sized the water tank based
[17] on future conditions, based on additional growth.
[18] **MEMBER FIRTH:** Just one other comment. It would
[19] seem to me, and again since I'm somewhat familiar with it,
[20] this system has just been, I don't know how to put it, but a
[21] nightmare from day one I think.
[22] Is there any long-range plan to get them off
[23] those springs and into a real water system where there's
[24] customers receiving a bill and they have adequate fire
[25] projection and adequate water quality and all that, or are

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[1] we just going to continue on and on and on with what's been
[2] going on up there for years?
[3] **MS. DUNCAN:** Well, in terms of water quality,
[4] this new filtration and new water tank will take care of
[5] those issues. I don't believe there's any long-term plan
[6] for —
[7] **MEMBER FIRTH:** All you have to do is look at
[8] these photographs and you just can't allow a system to
[9] continue to operate that way in today's world. It's just
[10] not right. It's not right for those customers and I don't
[11] think it's right for anybody to allow that to continue.
[12] Now, how you do it, whether county health or
[13] somebody could mandate them to prepare a five-year plan or
[14] something to get that system straightened out and get
[15] everything the way it should be and operate like a regular
[16] water system rather than just a bunch of rental houses
[17] connected to a bunch of tanks and pipes and all sorts of
[18] things.
[19] **CHAIRMAN KRAMER:** Further comments from the
[20] Board? Do we have any comments from the parties or the
[21] audience concerning this issue? So that I'm clear on this
[22] thing, this system, does this come under your purview, this
[23] system?
[24] **MR. PENNINGTON:** Yeah. We have the oversight on
[25] it, we have a contract with the District Health Department

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[1] there in Washoe County to enforce these regulations. It's
[2] within their jurisdiction. They use the same regulations
[3] that we do.
[4] **CHAIRMAN KRAMER:** What about fire flow?
[5] **MR. PENNINGTON:** That's up to the county fire
[6] authority.
[7] **CHAIRMAN KRAMER:** What does the county say?
[8] **MR. PENNINGTON:** Rick is here.
[9] **CHAIRMAN KRAMER:** I know that. What does the
[10] county say about that?
[11] **MR. REIGHLEY:** For the record, Rick Reighley,
[12] Washoe County District Health. I think it's set up with a
[13] little pond down below the original spring. I'm kind of
[14] speaking for Steve here.
[15] **MR. TIMKO:** I'm Steve Timko. There's about a
[16] two-acre pond where the overflow from these springs flows
[17] into. We have a four-inch pipe that flows down to the
[18] rental houses and supplies flow for fire and irrigation.
[19] This system is not connected directly to the
[20] water system but it's just an overflow from it. It usually
[21] is full most of the year except for August and September
[22] when it's about half full.
[23] **MEMBER FIRTH:** Are you in the city now?
[24] **MR. TIMKO:** We are not.
[25] **MEMBER FIRTH:** Didn't I hear you say something

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[1] about annexation?
[2] **MS. WREN:** They had to file a map as part of the
[3] special use permit requirement. When the land contiguous to
[4] Three T became part of the city they would annex in but they
[5] are not yet part of the city.
[6] **MEMBER FIRTH:** I think you've got a good point
[7] there, Kurt. Fire protection just can't be adequate. I
[8] can't believe it's adequate but I can't speak for the fire
[9] officials.
[10] **CHAIRMAN KRAMER:** Then the question I move to is
[11] does this Board have authority to grant monies to a system
[12] that is not in compliance with the county or the city
[13] ordinance as far as fire flow?
[14] **MEMBER SCOTT:** This isn't our money, this is a
[15] revolving fund. We couldn't fund this.
[16] **CHAIRMAN KRAMER:** The same question still is
[17] there.
[18] **MS. BASHAM:** Well, the State Revolving Fund,
[19] it's federal money and because this is a privately owned
[20] system we'll be using 100 percent federal money because
[21] we're not allowed to use any State money for private
[22] utilities. The regulations for the SRF, the federal
[23] regulations do not allow funding projects that are solely
[24] for fire protection. If fire protection is part of your
[25] project to meet health requirements, then it's okay.

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[1] But the focus of the SRF is on compliance with
 [2] the health requirements.
 [3] **CHAIRMAN KRAMER:** But that still doesn't answer
 [4] the question. Well, it does in one way. If the system does
 [5] not have fire protection and it's getting money from the
 [6] feds and we're not funding a fire protection system but
 [7] we're funding other things, why isn't fire protection part
 [8] of this project under federal guidelines?
 [9] **MS. BASHAM:** It's not part of the federal rules
 [10] that guide the SRF. They're focused on health in compliance
 [11] with the Safe Drinking Water Act which fire flow is not a
 [12] part of the Safe Drinking Water Act.
 [13] **MS. DUNCAN:** And they do have fire protection,
 [14] not the kind you would think of in the city of Reno —
 [15] **CHAIRMAN KRAMER:** You've got a puddle and a
 [16] whole bunch of buckets sitting around the pond.
 [17] **MEMBER FIRTH:** If the pond is empty and you have
 [18] a fire, what do you do?
 [19] **MEMBER ZIMMERMAN:** You run.
 [20] **MS. DUNCAN:** I don't believe it ever goes empty.
 [21] **MEMBER FIRTH:** I heard him say it was fairly low
 [22] at certain times of the year. You don't have any overflow
 [23] from the springs and I assume that would be a situation in a
 [24] drought year and then you don't have any water in the pond.
 [25] **MR. TIMKO:** That's not entirely true, that it's

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[1] all overflow from the springs. There are some springs on
 [2] the lower part of the property that are dedicated to filling
 [3] the pond. It's not just based on overflow. The other thing
 [4] is we have a volunteer fire department there. The trucks
 [5] are supplied by the Nevada Division of Forestry and they're
 [6] pretty much charged with protecting all of the homes on the
 [7] south side of 395.
 [8] **CHAIRMAN KRAMER:** How far away from the —
 [9] **MR. TIMKO:** All those homes have wells or
 [10] springs and none of them have really adequate fire
 [11] protection in terms of a hydrant there where you can put out
 [12] a fire. We have a standpipe where their trucks can fill up.
 [13] They can fill up in a matter of minutes on that four-inch
 [14] pipe right at the project.
 [15] **CHAIRMAN KRAMER:** I guess my point from a Board
 [16] perspective as Chairman is to make sure that this Board
 [17] doesn't stray into making a determination in favor or not in
 [18] favor of a grant in which we haven't carefully looked at our
 [19] responsibilities as far as issues like in this particular
 [20] case fire flow, and if Adele says that it's not part of the
 [21] picture and our purview and we're unliable or not liable for
 [22] any thing, then I guess we can move on. I guess that's
 [23] where I was coming from in the beginning.
 [24] **MS. WREN:** Mr. Chairman, as part of the special
 [25] use permit project the property was submitted to the Reno

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[1] Fire Department and we received no negative comment. We
 [2] received no positive comments either, but we got no negative
 [3] comments back.
 [4] **CHAIRMAN KRAMER:** Was that in terms of a letter?
 [5] **MS. WREN:** We didn't get a letter for them. It
 [6] went to them for review and there were no comments received.
 [7] As far as the planning process goes, when you get no comment
 [8] either negative or positive, then they've reviewed it and
 [9] have no comment.
 [10] **CHAIRMAN KRAMER:** Would it be appropriate, Nhu,
 [11] in any motion that's made either for or against this project
 [12] that we ask a letter be at least inserted into the file as
 [13] to the position of the governing fire district or are we
 [14] going someplace we shouldn't go?
 [15] **MS. HUYEN:** Based on what Adele has stated it
 [16] appears as far as approving or disapproving this loan
 [17] without the fire aspect you're okay, but you can certainly
 [18] make that a condition and have them insert into the file a
 [19] letter from the Reno Fire Department indicating that they're
 [20] comfortable with the project.
 [21] **CHAIRMAN KRAMER:** I would recommend that if we
 [22] have a motion. That's all I have to say on this issue. Go
 [23] ahead, Bruce.
 [24] **MEMBER SCOTT:** I guess I think we're straying a
 [25] little bit far from our charge if we're doing that. I don't

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[1] want to create a situation where they're back to square one.
 [2] These poor people are under a boil water order and if the
 [3] fire department says we need a couple fire hydrants out
 [4] there and the lines aren't big enough we're going to open up
 [5] a can of worms.
 [6] For \$230,000 my suggestion is we focus more on
 [7] an acceleration clause if this loan is approved because this
 [8] is federal money and you need it back in the system and the
 [9] security that's been addressed and we simply go ahead.
 [10] **CHAIRMAN KRAMER:** I'm just trying to be ultra
 [11] conservative as far as protecting the Board in what it does.
 [12] I realize the fire issue is not our purview but I don't want
 [13] it to ever come back on the Board that they approved a loan
 [14] for any reason that should have been looked into, and I was
 [15] thinking a simple letter in the file is not going to change
 [16] it and would be appropriate. If the Board doesn't think so,
 [17] I won't.
 [18] **MEMBER FIRTH:** What I think we could do,
 [19] Mr. Chairman, is make a recommendation that they develop a
 [20] long-range plan to get fire protection in accordance with
 [21] whatever the requirements are, get this system operating as
 [22] a true water system rather than just something that serves a
 [23] bunch of rentals out of a bunch of ponds and things and
 [24] prepare a long-range plan, a five-or ten-year plan or
 [25] however long it takes to get this system up to where it

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[1] should be.

[2] And then they can submit them, we could ask them
[3] to submit that to us I suppose to be part of our record.

[4] **MEMBER SCOTT:** It would be my assumption that in
[5] five years this is going to be connected to a different
[6] system and it's not even going to be there. My thinking
[7] would be the protection. Right now I see this \$230,000 loan
[8] request as getting those 42 customers or whatever it is off
[9] the boil water order and getting them a safe source of
[10] supply as an interim with the idea that something's probably
[11] going to change in the next five years that's going to turn
[12] the whole thing upside down.

[13] **MEMBER FIRTH:** That was my thinking, that this
[14] is an interim type of thing but they should have some way to
[15] get from where we're going to be after this is installed to
[16] five years from now, whether it's a connection to TMWA, if
[17] that's the best alternative, fine. If it's some other
[18] alternative, then that should fall out of the study area.

[19] **MEMBER ZIMMERMAN:** Is it our charge to make
[20] these kinds of recommendations in connection with these
[21] loans?

[22] **CHAIRMAN KRAMER:** I guess it comes up because
[23] in — we're so used to looking at all these other projects,
[24] it's 500 gallons, then it's 100,000, you don't have any
[25] hydrants, it gets so ingrained in us about fire flow and

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[1] we're spending money on it. In this case since we are
[2] spending the fed's money I guess we probably should be
[3] quiet.

[4] **MEMBER SCOTT:** I think we've got a bad situation
[5] that isn't going to get a lot better but it's going to at
[6] least meet drinking water standards and there are others in
[7] the regulatory area that I think are more charged with the
[8] fire side of it and other things.

[9] Obviously staff has heard some of our concerns
[10] for areas that they may have involvement in, but I just see
[11] it needing to get these folks off that boil water order and
[12] these people are probably struggling in a lot more ways than
[13] having to boil water. It's just one more thing.

[14] **CHAIRMAN KRAMER:** Are there any further
[15] questions from the Board?

[16] **MEMBER GOETSCH:** I guess I have a question and
[17] I'm struggling with this a little bit. So this isn't a town
[18] or a community owned system, this is a landowner who owns
[19] all of these properties who rents them out for profit and
[20] who runs this water system and who wraps all the bills into
[21] just the rent, so we have no idea what kind of money is
[22] being paid and applied toward the water because there's no
[23] water bill.

[24] I have a little trouble figuring out why is the
[25] federal government supplementing this private profit person

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[1] at all. If he owns this system and these houses and he's
[2] renting them and running them, whoever, the family or trust,
[3] for their profit, do we have any idea that they don't have
[4] enough money to afford to fix this water system themselves?

[5] **MS. BASHAM:** As part of our review of the loan
[6] application we look at all of their financial information.

[7] **MEMBER GOETSCH:** I'm not talking about the
[8] renters but the person that's profiting from this system and
[9] these rentals.

[10] **MS. BASHAM:** Yes, we've looked at that and it
[11] doesn't appear to us — I don't know if Steve wants to
[12] comment on that, but we haven't seen anything to suggest
[13] that they have a pile of money. They have a lot of assets,
[14] they own a lot of land and the water rights which I'm sure
[15] are valuable, but we haven't seen —

[16] **MEMBER GOETSCH:** Why is it our problem to help
[17] them profit?

[18] **MS. BASHAM:** Our problem is the compliance with
[19] the requirements of the Safe Drinking Water Act and the
[20] customers drinking unsafe water.

[21] **MEMBER GOETSCH:** Do we know that if we order
[22] this owner to comply, that they don't have the fiscal
[23] ability to comply?

[24] **MS. BASHAM:** It doesn't appear that they do and
[25] that's why they're applying for a loan. That's my

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[1] interpretation of it.

[2] **MEMBER ZIMMERMAN:** And we're not sure if they're
[3] profiting. As I was reading here I was thinking would this
[4] be something I would want to inherit. Do we have a letter
[5] stating that I don't have any money to put in this system,
[6] so therefore, I'm applying for a loan?

[7] **MS. BASHAM:** We have all of their tax returns.
[8] It's pretty clear from what we've looked at that there isn't
[9] much money.

[10] **MEMBER SCOTT:** To get through this process I
[11] think they've gone through a financial addressing and I
[12] suspect that the net result of pushing that issue is liable
[13] to put 42 people looking for other places to live.

[14] **MEMBER GOETSCH:** We want to help those folks but
[15] I'm just asking, this is different than a town that is
[16] asking for help, this is some private owner who is just
[17] saying I'd like an interest free loan to fix this and I just
[18] hope that we've established that they don't have the
[19] wherewithal to fix this.

[20] **MS. BASHAM:** Yeah. We look at that because
[21] there's some risk of entering into — we don't have the
[22] whole bonding mechanism with privately owned systems, so we
[23] look at them closely.

[24] **MEMBER GOETSCH:** So I would agree with what we
[25] said earlier. If there were a sale on this property I would

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[1] think there has to be a clause that says this is paid off at
[2] the sale, that if this is sold this loan must be paid off,
[3] not just carried on to the next and brought back.
[4] **MEMBER SCOTT:** That's the acceleration clause
[5] that I was referring to earlier.
[6] **MEMBER GOETSCH:** And I would then question if it
[7] doesn't get hooked up, can we automatically assume that some
[8] larger entity like Reno is going to assume responsibility or
[9] the problems of hooking this system up in the future and are
[10] they going to be back in front of us again?
[11] **MR. PENNINGTON:** Well, the purpose of this money
[12] was determined by the federal government. Its sole purpose
[13] is to come into compliance with the drinking water rules and
[14] this discussion is relevant and I agree with a lot of it,
[15] but basically the purpose of that money is to make them
[16] compliant and protect the health of the people.
[17] So they've determined that the use of that money
[18] when they first developed this State Revolving Loan fund for
[19] drinking water, that that was its intent and they allow the
[20] states to determine how to apply it.
[21] Certainly these other issues are relevant to it,
[22] but I think the main reason they came here is just we've got
[23] to get compliant.
[24] **MEMBER GOETSCH:** Agreed, but I'd like to be sure
[25] that we know that we have a limited amount of money. If

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[1] later the town or someone else comes to us and says we need
[2] this help to get our system up and they say, well, this
[3] money has been loaned out to this individual to get their
[4] system up, I'd like to just be sure that this private
[5] individual, that we looked at it and saw that they didn't
[6] have the wherewithal to do this themselves, and if that's
[7] what the staff is saying, yeah.
[8] Our goal is to help these people but we could
[9] also help these people by giving the individual an order
[10] that says they have to comply within a certain amount of
[11] time or pay fines and if they had the wherewithal to do it
[12] they would. So there's other ways to reach the result.
[13] I guess I'm just asking we've done that homework
[14] and we know that this individual wouldn't have the ability
[15] to comply if they simply got an order to comply and fix
[16] their system?
[17] **MS. BASHAM:** Dana, from what I've looked at, it
[18] didn't appear in their financial information —
[19] **MEMBER ZIMMERMAN:** They've also met the
[20] requirements of disadvantaged so it appears they have looked
[21] at —
[22] **MEMBER GOETSCH:** The residents have met that but
[23] the residents aren't paying this bill. They're renting
[24] houses from this individual.
[25] **MEMBER ZIMMERMAN:** You're looking at the

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[1] residents or you're looking at the system?
[2] **MS. BASHAM:** We looked at the customers of the
[3] water system.
[4] **MEMBER GOETSCH:** Which doesn't have anything to
[5] do with the owner of the property.
[6] **MS. TUTTLE:** Dana Tuttle. We've looked at a
[7] number of these privates and a lot of them, I've been here
[8] for three years, a lot of them we kick back automatically
[9] because the owners don't have a vested interest in the
[10] community that they're running.
[11] But in this case the person who is running the
[12] system owns all the rentals, they're offering low income
[13] housing really for the community and in order to fund the
[14] difference between a low interest loan and a regular
[15] interest loan, the renters would have to pay that. That's
[16] what we determined in our analysis.
[17] **MEMBER SCOTT:** I think if we really look at it
[18] we probably have better security in this in the land than we
[19] do in a lot of public water systems.
[20] **MS. DUNCAN:** I should note that the Timkos live
[21] on the property and drink the same water among all these
[22] other rentals.
[23] **MEMBER ZIMMERMAN:** Are there any further
[24] questions by Board Members or members of the audience or
[25] anybody on this particular issue? If there are none, I'll

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[1] entertain a motion.
[2] **MEMBER ZIMMERMAN:** I'll make a motion to approve
[3] the resolution designated the 8-2006 Three T Water Company
[4] water project loan commitment resolution pertaining to the
[5] determination by the Board for Financing Water Projects of
[6] the state of Nevada to approve the loan commitment for the
[7] purpose of financing certain projects, making certain
[8] findings and providing other details in connection
[9] therewith.
[10] The amount is 231,000 at zero percent annual
[11] interest for 20 years. I would like to add a condition that
[12] staff research whatever instrument is available to record
[13] against either the equipment or the land. I'm not sure how
[14] that works but there should be some sort of instrument that
[15] gets recorded and is out there if a third party does try to
[16] purchase this system other than a municipality.
[17] **CHAIRMAN KRAMER:** So if a third party purchases
[18] this system, the loan gets paid off?
[19] **MEMBER ZIMMERMAN:** I don't feel a need to do
[20] that. If someone wants to add that to the motion, but I
[21] really don't feel that that's necessary. I'm more worried
[22] about getting paid by whoever owns it rather than the
[23] acceleration.
[24] If there is an acceleration I would be concerned
[25] about what the transfer is, to a municipality, to a third

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[1] party, to one of their entity affiliates, because then you
[2] get yourself tangled up in some legal problems.
[3] **MEMBER SCOTT:** I would second that but on the
[4] discussion I would suggest that if it transferred to an
[5] unrelated third party we could cover it fairly cleanly if
[6] there were some trust or inheritance issues, that that would
[7] protect from causing that but I do think an acceleration
[8] clause would be valuable because this is all —

[9] **CHAIRMAN KRAMER:** Just a minute. We've got a
[10] motion. We have a second on a motion. Now do we have
[11] additional discussion?

[12] **MEMBER SCOTT:** My suggestion was a clarification
[13] that an acceleration clause be considered by staff with
[14] perhaps the provision that it would not apply to a related
[15] party transaction but it would apply to any third party,
[16] whether it was TMWA or another development entity or just
[17] another individual.

[18] **CHAIRMAN KRAMER:** Do you want to make that part
[19] of the motion?

[20] **MEMBER SCOTT:** That's what I just suggested.

[21] **CHAIRMAN KRAMER:** Is that okay with you to make
[22] that part of the motion?

[23] **MEMBER ZIMMERMAN:** Sure.

[24] **CHAIRMAN KRAMER:** We have a motion and a couple
[25] of tag-ons. Is there further discussion on the motion? Is

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[1] there any public comment? Staff comment? Hearing none,
[2] we'll vote on the motion. All those in favor signify by
[3] saying aye. Opposed? Motion carries.

[4] (The vote was unanimously in favor of motion.)

[5] (A discussion was held off the record.)

[6] **CHAIRMAN KRAMER:** Let's move on to the next
[7] agenda item, request for additional funding, change of
[8] scope. The first one is Churchill County —

[9] **MS. STAMATES:** No, we need to set a date for the
[10] next Board meeting while we have all the Members present.

[11] **CHAIRMAN KRAMER:** What do we want to do, guys,
[12] for the next Board meeting?

[13] **MS. STAMATES:** We have a calendar for November
[14] in your Board packets.

[15] **MEMBER SCOTT:** This is going to be a meeting
[16] when we're probably going to be discussing legislative
[17] matters to some degree I would think or possibly.

[18] **MS. STAMATES:** Possibly.

[19] **MEMBER SCOTT:** Any staff suggestions or
[20] preferences?

[21] **MS. STAMATES:** It's my understanding that
[22] Thursdays are not particularly good. Wednesdays seem to
[23] work well for you. The earlier in the month in this case
[24] the better because of the holidays.

[25] **CHAIRMAN KRAMER:** Is the 17th too early?

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[1] (A discussion was held off the record.)

[2] **CHAIRMAN KRAMER:** Let's try November the 9th,
[3] Thursday, for the next meeting date. With that in mind,
[4] because of the time frame you guys can just watch what you
[5] put in, keeping in mind if we have to have another meeting
[6] before the first of the year if something goes crazy like
[7] Rye Patch or whatever else we've got going on so we can
[8] handle it.

[9] Are we ready to go on to the request for
[10] additional funding for Churchill County, 4-a?

[11] **MS. STAMATES:** I'm sorry, we're ready to go to
[12] E-1.

[13] **CHAIRMAN KRAMER:** When I reviewed this thing I
[14] ticked it off as I reviewed it and I'm looking at it
[15] thinking we've already done that. Let's go to the financial
[16] report.

[17] **MS. STAMATES:** You've had a chance to look at
[18] this and Marcy is just going to go over briefly these items
[19] with you and if you have any questions we'll try to address
[20] those.

[21] **MS. McDERMOTT:** For the record, Marcy McDermott.
[22] Currently we have 39.3 million in funds available for new
[23] grants. This meeting we have 10.6 million being requested
[24] which would leave us with remaining of 28.6.

[25] This fiscal year we have a bonding authority of

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[1] six million, but after reviewing the estimates from the
[2] grantees we've decided we need more money. So we have been
[3] working with the treasurer's office to sell eight million in
[4] bonds and that will be within the next two months they'll
[5] sell those.

[6] **MS. BASHAM:** They have not agreed to that yet.

[7] **MS. McDERMOTT:** They have to find the money from
[8] somebody else.

[9] **CHAIRMAN KRAMER:** How does this tie into this
[10] six million of sales? That's what —

[11] **MS. McDERMOTT:** This is just our bonding
[12] authority that the treasurer's office gave us for this
[13] fiscal year.

[14] **CHAIRMAN KRAMER:** Is the treasurer's office
[15] saying they'll bond for six million for sure in '07?

[16] **MS. McDERMOTT:** Yes.

[17] **MS. STAMATES:** That's the budgeted number.
[18] We're looking for eight million period.

[19] **CHAIRMAN KRAMER:** Eight million instead of six
[20] now.

[21] **MEMBER SCOTT:** We have in '07.

[22] **MEMBER ZIMMERMAN:** This is '06-07.

[23] **MS. STAMATES:** This is the '07 fiscal year.

[24] **MEMBER ZIMMERMAN:** Does that create problems in
[25] the future because it looks like we've got requests for that

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[1] amount of funding obviously because you wouldn't issue the
[2] bonds unless you get the money.

[3] **MS. BASHAM:** It could. The treasurer's office
[4] doesn't care about how many requests or even how many
[5] projects you've approved. What they care about is whether
[6] the projects are drawing the money and how much we have
[7] sitting in the bank. They'll look at that three million and
[8] they might tell us you've got three million, come back when
[9] you have zero.

[10] **MEMBER ZIMMERMAN:** But this is the beginning of
[11] the new fiscal year, right?

[12] **MS. BASHAM:** Yes.

[13] **MEMBER ZIMMERMAN:** So we're using our budget
[14] early on. Doesn't mean we wouldn't get more funds, we
[15] wouldn't be able to bond for more money later, it just means
[16] we would have exceeded our budget?

[17] **MS. BASHAM:** Yes.

[18] **MEMBER SCOTT:** Adele, the SB 62 is another
[19] category. None of these are coming out of this, so those
[20] draws are covered by the grant the legislature provided?

[21] **MS. McDERMOTT:** Yes. That's a completely
[22] different budget account.

[23] **MEMBER GOETSCH:** How are we with the push to get
[24] claims in and to get those?

[25] **CHAIRMAN KRAMER:** It's coming up on the agenda.

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[1] **MS. STAMATES:** This is a good time to discuss
[2] it. It's difficult to get some of the grantees to get their
[3] pay requests in. I have some currently sitting waiting for
[4] updates from the grantees because the pay request wasn't
[5] complete. I have almost half a million dollars sitting on
[6] my desk right now and I think we'll clear that up after this
[7] week.

[8] **CHAIRMAN KRAMER:** Which at this point I wanted
[9] to tell the Board, we've got to be thinking about when we
[10] start talking about, I'm going to digress a little, when we
[11] start talking about legislative issues and if SB 62 type
[12] money is going to become part of our fiscal budget next
[13] year, we need to make sure that we get everything in line on
[14] how we're going to do this.

[15] I just mention it to you now. You need to think
[16] about it because of all the problems we've had with this SB
[17] 62 before. If we get saddled with running the SB 62 through
[18] the next legislature with a later amount of money, we need
[19] rules, regulations and I's dotted and T's crossed. That's
[20] all I've got to say. Move on.

[21] **MS. STAMATES:** We could look at the individual
[22] projects now if you'd like. This is a moving target,
[23] understand that. You may see the project Skyland and it
[24] shows zero but they just put in a pay request so you
[25] understand these are constantly changing. People are

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[1] submitting pay requests. Several of the PERs have not yet,
[2] they're just getting underway now and they normally don't
[3] submit a lot of individual pay requests.

[4] **MEMBER SCOTT:** On the Washoe County sewer \$4
[5] million item, as I understand it they're trying to assemble
[6] some other grant monies, but would that come at us as a
[7] single request?

[8] **MS. STAMATES:** No. They're sending those in
[9] individually as they connect individual units up but they
[10] only have one phase completed right now and I believe I
[11] might have mentioned how many units. We might get to that
[12] later on that they can connect. I think it's in the
[13] neighborhood of two to 400.

[14] **MEMBER SCOTT:** What I was thinking is if they
[15] came in with a \$4 million request it would really mess us up
[16] and I don't anticipate they're going to do that, but if
[17] there's that possibility we might want to alert them that
[18] from a cash flow standpoint we couldn't accommodate that
[19] entire amount.

[20] **MS. STAMATES:** We've sent out mass mailings to
[21] all of the grantees requesting all of their monthly
[22] projections of what they'll use. They struggle in trying to
[23] give us that information.

[24] A lot of the information that I helped assemble
[25] for the treasurer's office this time was based on what I

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[1] know was happening. For instance, how fast Battle Mountain
[2] is moving, what's been given to Pershing County just
[3] recently in an emergency situation, how fast Churchill
[4] County is moving on their projects. So I can see the
[5] progress right now on some of them and I'm letting the
[6] treasurer's office know there could be some big requests.

[7] But Washoe County is not going to be connecting
[8] up and asking for four million all at once.

[9] **MEMBER ZIMMERMAN:** You do see a lot of spending
[10] going on and let's say that the treasurer's office does not
[11] allow you to issue the bonds to cover these costs. I know
[12] that we mentioned in the resolution I believe about the
[13] Interim Financing and if they do that so they can get
[14] reimbursed for the interest costs, but is it practical that
[15] you could say and do you have these discussions with the
[16] grantees that the possibility exists they may not get the
[17] money?

[18] **MS. STAMATES:** It's in their funding agreement
[19] and it's discussed with everyone as we give it to them. It
[20] is there. There is the chance that if everybody had a good
[21] construction season and everybody submitted their bills at
[22] once we could run out of money.

[23] I'm at that point right now. The three million,
[24] the one million you committed to Churchill County, I look at
[25] Battle Mountain right now because they're moving quickly and

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[1] could request large amounts. We could go to zero if the
[2] treasurer didn't sell bonds. I don't see that happening.
[3] I have some smaller communities like Gerlach
[4] that have payments that need to get paid and if you look at
[5] Manhattan or McGill they need the money. So we try to
[6] forecast this but they're not any better at forecasting than
[7] we are and we're going to try to have money in the bank when
[8] they're ready.

[9] **MEMBER SCOTT:** The other side I think too is we
[10] have an understanding with the treasurer that we're not
[11] trying to build a hoard here too, so it's a balancing act.

[12] **MS. STAMATES:** Well, we have to justify it and
[13] without those pay requests coming through and the money
[14] changing hands, they sometimes don't believe us.

[15] **MEMBER ZIMMERMAN:** They've got the arbitrage
[16] issues to deal with and that's why they have the money
[17] sitting in the bank.

[18] **MEMBER SCOTT:** Well, many of the larger
[19] potential requests would come from people that may have a
[20] little bit of interim capability to deal with things on a
[21] short-term basis if they had to hold for a little while.

[22] **MS. STAMATES:** When I get them and process them,
[23] I don't know what's coming tomorrow, so I don't sit there
[24] holding a little bit of money in case a smaller one comes
[25] in.

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[1] **MS. McDERMOTT:** It's easier if people send in
[2] smaller payments then wait for six months and send in a
[3] \$500,000 payment request and that's what we've been trying
[4] to get them to do is send in smaller monthly or every six
[5] weeks and then we don't have this much of a problem, that
[6] they have some cash flow going in.

[7] **CHAIRMAN KRAMER:** Where are we at on this issue?

[8] **MS. STAMATES:** If you'd just like to look at the
[9] last page of financials, we do account for the SB 62 money,
[10] the \$1 million that you gave out in grants, and you can see
[11] that some others are also ready and we have a few more that
[12] are coming in now. All of these applicants who are given
[13] grants are now in either the funding agreement process or
[14] they're actually working on the project, so we have
[15] everything through the technical part of the paper work.

[16] **MEMBER SCOTT:** I'm sure we'll get a status
[17] report on Searchlight here in a little while.

[18] **MEMBER ZIMMERMAN:** I just want to comment that
[19] the financial reporting is very nice, easy to understand and
[20] easy to read and very good.

[21] **MS. STAMATES:** Thank Marcy. She keeps all these
[22] numbers straight, down to the penny.

[23] **CHAIRMAN KRAMER:** Thank you.

[24] **MEMBER SCOTT:** I'd like to talk about the choice
[25] of colors.

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[1] **MS. STAMATES:** The color might go away I think.

[2] **CHAIRMAN KRAMER:** Are we done with the financial
[3] summary? Let's go to E-2, the deobligation of Caliente
[4] which is E-2.

[5] **MS. STAMATES:** To give you a little bit of
[6] background, in March of 2002, this Board granted the city of
[7] Caliente an amount of \$1,176,868.70. This was for a
[8] five-year project and their water system improvements
[9] included a new storage tank, pipeline improvements,
[10] construction of a new well to reduce arsenic levels, leak
[11] detection and repair programs and a metered conservation
[12] program consisting of 393 meters.

[13] The new storage tank, pipeline improvements and
[14] some of the meters are completed to date. Due to some
[15] engineering oversight 16 meters were left out of the
[16] original plan and when they put the meters in, they failed
[17] to document the meter identities, so they're going to go
[18] back and do all that for all of the residences before they
[19] start on a tiered rate.

[20] The well was never installed. At this point
[21] based on the original grant amount they have a balance of
[22] \$314,732.65. That was from the original grant. One of the
[23] city's primary wells was subsequently destroyed in the
[24] flooding of January 2005. A temporary tie-in to the
[25] Caliente Youth Center was made to provide a backup source of

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[1] water in the interim.

[2] At the Board meeting in April of 2005 the Board
[3] awarded the city of Caliente an emergency grant funding to
[4] install an additional new well, a well house and associated
[5] equipment. The emergency grant amended the original grant
[6] from March 2002 with an additional grant amount of
[7] \$844,447.02.

[8] At this point according to their paper work, the
[9] total grant amount was not to exceed 2,021,314.72. The
[10] amended scope did include the two wells. It's now been 15
[11] months, almost 16, since the Board awarded those emergency
[12] grant funds and the city has not signed a funding agreement.

[13] Given other funding that the city of Caliente is
[14] expecting to receive from FEMA, from EMD, the State
[15] Emergency Management Division, and the USDA, along with that
[16] little over 300,000 remaining on the original AB 198 grant,
[17] it appears that the additional emergency grant funds from
[18] the AB 198 program will not be necessary for this project.

[19] Staff recommends that the Board deobligate the
[20] additional grant funds awarded to the city of Caliente in
[21] April of 2005. That commitment was an additional
[22] \$844,404.62. This will be returned to the grant fund to
[23] help provide grants to other applicants.

[24] Staff also recommends that the \$314,732.65
[25] remaining in the original grant from March 2002 remain

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[1] available to the city of Caliente throughout the original
[2] five-year grant period to finalize the water meter project
[3] and to construct a backup well. Basically FEMA, EMD and
[4] USDA are helping with the primary well and we would continue
[5] to help with the backup well. They won't finance the backup
[6] well.

[7] I've reviewed this with the city. They're in
[8] agreement. They've also requested that the Board approve
[9] them converting to the new Board policy on depreciation,
[10] capital replacement that was established in May of 2006, and
[11] that would be for their earlier grant and for this grant.

[12] **CHAIRMAN KRAMER:** Questions of staff by the
[13] Board Members before we ask the applicant to come forward?

[14] **MS. STAMATES:** The applicant is not here today.
[15] They put this before their Board and agreed.

[16] **MEMBER ZIMMERMAN:** In reading through the
[17] material it appears they haven't done some of the things
[18] that were required by the grant that they received from this
[19] Board, such as the water rates were not changed, the water
[20] conservation plan is not completed and I'm just curious, I'm
[21] sure there's some sort of explanation as to what's going on
[22] there. I would think you could just raise that rate
[23] regardless of meters and just do a flat rate.

[24] **MS. STAMATES:** That appears to be highly
[25] unpopular at this point. They had a flood and issues beyond

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[1] the wells that were damaged to contend with over the last
[2] year. Understand that just wells was not their only issue
[3] in Caliente due to that flooding.

[4] **CHAIRMAN KRAMER:** I read in your report that the
[5] hang-up is possibly more political than anything else. The
[6] mayor won't sign anything. If the mayor won't sign
[7] anything, they won't go forward.

[8] **MS. STAMATES:** The Board doesn't think they need
[9] the reserve funding for a \$2 million grant and I think
[10] that's very responsible of them to recognize that.

[11] **MEMBER ZIMMERMAN:** But are they being
[12] responsible or is it unpopular raising the rate with the
[13] meters?

[14] **MS. STAMATES:** They have not raised the rates
[15] because the meters are not fully identified and not fully
[16] installed and that is no different than a lot of our other
[17] grantees today.

[18] **CHAIRMAN KRAMER:** You made a trip to look at
[19] that.

[20] **MS. STAMATES:** During one of the worst
[21] snowstorms they've had in a long time. I saw unfortunately
[22] a lot of snow on the ground. We did take a look at a lot of
[23] the areas that were flooded and the proposed sites for the
[24] wells and at that time they were still working with FEMA to
[25] get the environmental reports cleared.

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[1] **MEMBER GOETSCH:** What about their efforts to
[2] install meters?

[3] **MS. STAMATES:** At this point I do not see any
[4] effort on their part working with their engineers to do
[5] that. I've seen no progress reports from them on that part
[6] of the project.

[7] **MEMBER SCOTT:** The flood was a big deal, but the
[8] problem started long before the flood and I feel like
[9] there's no question there's some needs. On the other hand,
[10] I don't see the kind of responsiveness that I would like to
[11] see.

[12] My inclination is to deobligate the money, not
[13] change it to allow them to go under the new depreciation
[14] guidelines until such time in the future as we hear from
[15] them directly, and to consider any future applications to
[16] have very rigid timelines in order to ensure that we either
[17] don't waste their time or our time or staff's time making
[18] applications for things that aren't going to happen.

[19] I think we need to let them know we have some
[20] conditions that haven't been met, we understand it's
[21] difficult, I don't mind them blaming us for meters or
[22] metered rates, but I just don't see the follow through, even
[23] though there are a number of reasonable excuses.

[24] Frankly, we've got money tied up and have for a
[25] long time, we've got staff time and I think Caliente can do

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[1] a better job.

[2] **MEMBER FIRTH:** I guess that was my concern and
[3] I'm the new kid on the block here and I wasn't around when
[4] this happened. If you decertify them or whatever the proper
[5] term is they can come back and reapply again six months from
[6] now and as you say, Bruce, we're just going around and
[7] around and around here. If they don't comply again, then
[8] we'll be right back where we are now.

[9] **MEMBER SCOTT:** I'd be happy to entertain a new
[10] application if they're serious, but I would want some
[11] guidelines that said if you don't have something in here in
[12] six months it's gone. You can come back to the Board, but
[13] we talk about cash flow and what's happening with our
[14] capacity to get bonding funds and this is a huge unknown
[15] that doesn't appear to be considered seriously on the
[16] ground.

[17] **MS. STAMATES:** They are waiting for FEMA's final
[18] answer.

[19] **MEMBER SCOTT:** But you left that money in the
[20] proposed —

[21] **MS. STAMATES:** No, from the original grant. I'm
[22] recommending that. You can leave it or not.

[23] **MEMBER GOETSCH:** You're suggesting that because
[24] they don't appear to be making any progress or even
[25] implementing what they said they were going to do, to bring

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[1] that money back as well, the 800 and the 300?

[2] **CHAIRMAN KRAMER:** That's where I'm going. If
[3] there's a motion made from where we seem to be going, that
[4] the 314,000, that they be notified that the Board will
[5] approve the deobligating of \$314,000 possibly at our next
[6] meeting if they don't show some progress at our next
[7] meeting.

[8] **MEMBER SCOTT:** In 2002, the 314,000 as I
[9] understand it is the residual from our original five-year
[10] obligation.

[11] **MS. STAMATES:** Yes.

[12] **MEMBER SCOTT:** You're saying leave that in place
[13] but deobligate the 844,000?

[14] **MS. STAMATES:** Yes.

[15] **CHAIRMAN KRAMER:** I'd like to send a notice
[16] saying we'll deobligate that too if you don't really get
[17] going.

[18] **MS. STAMATES:** Information from the State
[19] Emergency Management, I don't know if they're a department
[20] or division, but that group thinks FEMA is close to a final
[21] decision. They feel that Caliente will get the money. I
[22] don't think they're going to actually be able to drill the
[23] well this year but they might.

[24] **MEMBER ZIMMERMAN:** I still have issues with I
[25] know they're waiting for FEMA but there's things they still

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[1] could have been done and they've spent quite a bit of money
[2] already, so why not comply to the conditions they agreed to
[3] originally? That's what I'm having difficulty with, and
[4] they don't show up today to discuss the outstanding issues.
[5] It would be nice to ask them some questions.

[6] **MS. STAMATES:** I did not present to them that we
[7] would deobligate the remainder of the original grant.

[8] **CHAIRMAN KRAMER:** This Board can send a message
[9] to them saying, however you want to word it, I think we
[10] should throw a scare into them and say that \$314,000 is on
[11] the line possibly at the next meeting.

[12] **MEMBER FIRTH:** Michelle, is the 314,000 for the
[13] additional well and to finish the meters?

[14] **MS. STAMATES:** Yes.

[15] **MEMBER FIRTH:** I would not want to take funds
[16] away to finish the meters. I don't know what utility it is,
[17] but they've got to get the meters in.

[18] **CHAIRMAN KRAMER:** I'm not saying we deobligate
[19] at this meeting.

[20] **MEMBER FIRTH:** You're threatening.

[21] **CHAIRMAN KRAMER:** Make it a condition that the
[22] Board feels very strongly about the fact you haven't moved
[23] forward on this project and this will probably be on the
[24] next agenda in November as far as possibly deobligating the
[25] rest of their loan.

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[1] **MEMBER FIRTH:** The five-year period is up March
[2] of next year?

[3] **MS. McDERMOTT:** Yes.

[4] **MEMBER FIRTH:** We've only got a few more months
[5] here.

[6] **CHAIRMAN KRAMER:** I think you need to send them
[7] a strong signal because they have not done what I figured
[8] they would do.

[9] **MEMBER SCOTT:** Mr. Chairman, what about a
[10] request from staff that they provide a schedule with
[11] milestones that we can review at the November meeting,
[12] thinking now that we want them to be moving but we don't
[13] necessarily need to have a long agenda item at the next
[14] meeting?

[15] But what if they gave us a schedule with
[16] specific milestones for the expenditure of the 314,000 with
[17] the idea if that isn't satisfactorily responded to it will
[18] be on the following agenda which will be the five years?

[19] **CHAIRMAN KRAMER:** I think we should tell them
[20] that.

[21] **MEMBER SCOTT:** That's what I'm suggesting.

[22] **CHAIRMAN KRAMER:** That we want a schedule and
[23] the reason is because if you don't need the schedule we're
[24] going to recommend to the Board at the next meeting or at
[25] the five-year period we're going to deobligate the rest of

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[1] the funds. If that won't get their attention, I don't know
[2] what will.

[3] **MEMBER ZIMMERMAN:** In addition to the schedule
[4] with the milestones for the 300,000, add that we would like
[5] information on how they plan to implement the conditions
[6] that they agreed to with the original grant, the rates and
[7] the water conservation plan.

[8] **MEMBER SCOTT:** And getting the meters into use.
[9] The meters are there but they're not part of the billing
[10] process, or at least some of the meters are there.

[11] **MEMBER ZIMMERMAN:** There's another applicant
[12] that went ahead and raised it to a flat rate regardless
[13] because they needed to get the funds in and I think it would
[14] be prudent to just do that.

[15] **MEMBER GOETSCH:** So they've gotten the money and
[16] gotten all that they wanted but they haven't upheld any of
[17] their part of the bargain because they don't have the
[18] political will to do it?

[19] **MS. STAMATES:** I can't answer that.

[20] **MS. McDERMOTT:** I thought we did not require
[21] them to raise their rates until after the water meters were
[22] in. Most projects, they don't raise their rates until after
[23] all the water meters are in.

[24] **MS. STAMATES:** If they need to pay for their
[25] system or they need funds to get their system viable, then

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[1] they would have to raise the rates regardless of meters.
 [2] **MEMBER GOETSCH:** And if they choose not to put
 [3] the meters in to use that as a mechanism not to raise the
 [4] rates, that's the issue here. They're dragging their feet
 [5] and not initiating and putting the meters in and saying,
 [6] well, we don't have to raise the rates, so they've found a
 [7] way to noncomply.

[8] **MR. PENNINGTON:** Mr. Chairman, if you recall,
 [9] when this all started they had only one well, one usable
 [10] well there and then they had the flood later, but during
 [11] that time they apparently always had this connection to the
 [12] youth center. Now, the youth center is not a public water
 [13] system and it's a customer of the city. That's an
 [14] irrigation well, probably doesn't meet any of our
 [15] construction requirements.

[16] However, the water quality is very good,
 [17] actually probably a little better than most of the water
 [18] that they have in the system. So they had the flood, that
 [19] impacted some things, but in the interim they've been able
 [20] to get an additional well operational. So they have two
 [21] wells that they're operating. They weren't using one
 [22] because of the arsenic situation. Now I think they've
 [23] applied for an exemption and they're using that well.

[24] Well, now they still have the luxury of using
 [25] this backup well at the youth center. So I think that's

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[1] kind of changed how life goes in Caliente. They feel a
 [2] little more secure because they've got a little more water
 [3] and I guess they're just betting that they're going to get
 [4] the funds from the federal government and solve this
 [5] problem. Just so you're aware, that's a little bit of a
 [6] different change than what happened originally.

[7] **MEMBER FIRTH:** But the meters are a completely
 [8] separate issue. You can't raise rates unless you go to a
 [9] higher flat rate. What's the point of putting meters in and
 [10] not using them? They should really be mandated to finish
 [11] that program and if they've agreed to raise their rates,
 [12] then they should raise their rates.

[13] **CHAIRMAN KRAMER:** Do we know that we do or do
 [14] not have a policy or is this just your memory of raising the
 [15] rates after the meters are in? I think that we have put —
 [16] I don't think the current policy talks about that, so if you
 [17] put 100 meters in and there's 200 meters —

[18] **MS. STAMATES:** There might have been something
 [19] written in the funding agreement that said they didn't need
 [20] to raise their rates until all the meters were in.

[21] **MEMBER ZIMMERMAN:** I think it should be
 [22] researched because if we are aware of the fact that they're
 [23] not complying with the agreement and we do nothing about it
 [24] I think we're sending the wrong message that other grantees
 [25] can just skate and let their obligations go.

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[1] **CHAIRMAN KRAMER:** Seeing that they're not here
 [2] and we all have got a whole bunch of ideas about this, does
 [3] somebody want to present a motion in accordance with
 [4] everything we've been saying here? And I think we
 [5] definitely need to send a signal to them that they're in
 [6] trouble. We're not going to kick them out, but they're in
 [7] trouble and they need to perform. That's my personal
 [8] opinion.

[9] **MEMBER GOETSCH:** So I would offer something like
 [10] this. I make a motion that we recoup or recover the
 [11] emergency grant funds from AB 198. We recommend that we
 [12] will we deobligate the additional grand fund awarded to the
 [13] city of Caliente in April of 2005 and that that commitment
 [14] of \$844,446.02 be returned to the grant fund.

[15] I further move that the \$314,732.65 remaining in
 [16] the original grant from March 2002 remain available to the
 [17] city of Caliente until 10 November which is the day after
 [18] our next meeting for and until acceptance by this Board of a
 [19] plan of milestones and an acceptable proposal for the
 [20] expenditure of those funds in compliance with the original
 [21] agreement.

[22] So what that means is if they don't come to the
 [23] next meeting and present us with a satisfactory plan and
 [24] show us that they're complying with the original agreement,
 [25] that the day after that those funds would be deobligated.

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[1] **MEMBER FIRTH:** I'll second that motion.

[2] **CHAIRMAN KRAMER:** Would you clarify your motion
 [3] by saying or did you say that they need to, the stuff about
 [4] the water meters and any other things, they don't have an
 [5] emergency plan or what is it called? Water conservation
 [6] plan. There's no reason why they can't have that completed.

[7] **MEMBER GOETSCH:** The original agreement to have
 [8] a water conservation plan, to have the meters that were
 [9] agreed to either underway or have a deadline and some sort
 [10] of promise and contract for when those would be installed
 [11] and the raising of their rates to accommodate the
 [12] requirements previously on the record.

[13] (The record was read.)

[14] **MEMBER SCOTT:** On the question, do we want to
 [15] say anything in the motion about whether or not we're going
 [16] to allow them to go to the new policy on depreciation
 [17] capital replacement or do we want to remain silent on that?

[18] **MEMBER ZIMMERMAN:** I like your idea on not
 [19] approving it and that they come back to ask for a waiver and
 [20] discuss the issues with us, but maybe the approval of that
 [21] transfer from the one policy to another would be in
 [22] conjunction with our acceptance of their proposal that Brad
 [23] just proposed.

[24] **MEMBER SCOTT:** What would you think about just
 [25] saying we do not approve that at this time and leave it like

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[1] that? Because my concern is that that's just another way to
[2] reduce the cost to the customer and if we leave that, if we
[3] make that change it doesn't necessarily —

[4] **MEMBER GOETSCH:** I'll move that we do not
[5] approve that request at this time.

[6] **MEMBER FIRTH:** That's acceptable to the second.

[7] **CHAIRMAN KRAMER:** Since the applicant is not
[8] here, is there any further discussion from the Board or
[9] members of the audience?

[10] **MS. STAMATES:** Does staff sign the letter or
[11] will the Board?

[12] **CHAIRMAN KRAMER:** I'll sign the letter.

[13] **MEMBER SCOTT:** I think that ought to come under
[14] the Chairman's signature. It's significant.

[15] **MEMBER GOETSCH:** What I heard read back a minute
[16] ago on the first figure didn't match that number. The
[17] number for the April 2005 amount was \$844,446.02.

[18] **MEMBER ZIMMERMAN:** At the same time, Michelle
[19] will review the funding agreement to see what conditions are
[20] in there pertaining to issues that we think are outstanding,
[21] particularly the water rate and the water conservation plan
[22] because we might have allowed them to —

[23] **MS. STAMATES:** I'll include that in the letter
[24] and Kurt can add the wording.

[25] **CHAIRMAN KRAMER:** You can work with Nhu and have

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[1] her make sure that we haven't made any mistakes.

[2] **MS. STAMATES:** This was not specifically
[3] discussed in the regulations. She is aware that I was doing
[4] this, she's aware of the letter we sent them.

[5] **MEMBER SCOTT:** This is a five-year old grant so
[6] we may want to be a little soft on that one.

[7] **CHAIRMAN KRAMER:** We have a motion on the floor
[8] and a second. I presume everybody hopefully understands it.
[9] If there is no more discussion on it, I'll call for the
[10] question. All those in favor signify by saying aye.
[11] Opposed? Motion carries.

[12] (The vote was unanimously in favor of motion.)

[13] **CHAIRMAN KRAMER:** We will take a short break,
[14] five minutes or so.

[15] (A short recess what's taken.)

[16] **CHAIRMAN KRAMER:** Let bring the meeting back to
[17] order. I'd like to make an announcement. There's an armed
[18] guard at both doors. If you don't sign in you don't get
[19] out. We need to have your signatures. Who has the sign-in
[20] list?

[21] **MS. McDERMOTT:** It's on the back table.

[22] **CHAIRMAN KRAMER:** So please sign in. We're
[23] ready to move ahead. The next request for additional
[24] funding is from Churchill County.

[25] **MS. STAMATES:** We're at the letter of intent.

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[1] **CHAIRMAN KRAMER:** Letter of intent and grant
[2] application for Crystal Clear PER.

[3] **MS. STAMATES:** I'm going to give you a bit of a
[4] summary on Crystal Clear. Some of you know them and some of
[5] you don't. Lyon County Utilities is here for the Crystal
[6] Clear Water Company and they are seeking funding for a PER.
[7] They've presented a letter of intent and a grant application
[8] at this meeting.

[9] The Crystal Clear Water Company is located off
[10] U.S. Highway 95A in Lyon County approximately seven miles
[11] east of Yerington. Crystal Clear was started in 1966 and
[12] incorporated as a privately owned water system. Ownership
[13] of the system transferred to Lyon County on June 1st, 2006.

[14] Crystal Clear currently owns three wells; North
[15] Well, Middle Well and South Well. The South Well at this
[16] time is off line and not in use. There is no treatment
[17] process. Water is pumped and stored in a pressure tank
[18] before being sent to the distribution system. They have two
[19] water storage tanks and two pressure zones in the system.
[20] Zone one, this is the lower pressure zone, the wells are
[21] located in zone one along with a 20,000 gallon pressure tank
[22] that stores water from the two wells that are on line.

[23] The tank has been leaking for an indefinite
[24] period of time. Water is lifted from zone one to zone two
[25] by an underground pressure tank. Zone two is supplied by a

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[1] 5,000 gallon booster pressure tank located near the South
[2] View Estates. The system does not meet all storage
[3] requirements. It does not have enough capacity to protect
[4] against fires.

[5] The well facilities are poorly constructed and
[6] do not meet State standards. At over 40 parts per billion
[7] arsenic water from the wells exceeds the drinking water
[8] standards. The water also has a relatively high silica
[9] content which interferes with some arsenic treatment
[10] technologies. Also due to excess fluoride content,
[11] individual defluoridation units were installed with the
[12] provision that they would be maintained by Crystal Clear.

[13] The existing distribution system is made up
[14] primarily of six-inch pipe. However, there is currently or
[15] there is little known about the distribution system with
[16] respect to the pipe material, location of valves and general
[17] system condition.

[18] Due to the high concentration of arsenic in the
[19] drinking water the Division ranked this project as a class
[20] II water project intended to address chronic health
[21] concerns. The county conducted field work to gather
[22] information on the condition of the system components.

[23] In order to apply for matched funding from the
[24] USDA a detailed PER including updated information on system
[25] condition, detailed alternatives, a project scope and cost

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[1] estimate, and an environmental report will be necessary. A
[2] hydraulic analysis of the system and arsenic testing will
[3] also be conducted as part of the PER.
[4] The maximum water rate based on a median
[5] household income of \$34,290 is \$42.86 per month for the
[6] residential users. Currently a customer using 22,000
[7] gallons per month would pay \$36.85 per month. They also
[8] have a monthly surcharge for future arsenic treatment of
[9] \$25.71. This brings the total monthly water rate to \$62.56.
[10] The system at this time is essentially broke.
[11] However, based on the capital improvements recommended in
[12] the PER, rates will be established to assure the viability
[13] of the system. NAC 349.471, subsection 2, states that "The
[14] Board interprets costs traditionally associated with capital
[15] improvements to include any costs that are not directly
[16] related to the actual construction of the capital
[17] improvements, including without limitation costs for
[18] engineering design, construction, legal and financial
[19] services and acquisition of water rights, easements and
[20] rights of way".
[21] Based on this definition and the requirement for
[22] safe drinking water this letter of intent to submit a grant
[23] for the development of the proposed PER is recommended for
[24] approval subject to the conditions given.
[25] The grant amount would not exceed \$42,500. This

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[1] is 85 percent of the eligible project costs estimated to be
[2] \$50,000. The county would match this grant for the
[3] remaining 15 percent. Staff's conditions are merely to
[4] comply with the regulations of NAC 349.554 through 349.574
[5] regarding administration of the grant.
[6] **CHAIRMAN KRAMER:** Are there any questions by the
[7] Board Members of staff before we ask the applicant to come
[8] up to the table?
[9] **MEMBER SCOTT:** One question. Will that staff
[10] report serve as both the letter of intent and the grant
[11] application, Michelle? Can we treat those — I realize we
[12] have to —
[13] **MS. STAMATES:** I was simply going to say given
[14] what we've just discussed, we will review the background and
[15] I'm going to make the same recommendation. The grant
[16] application is slightly higher because there was a fee to
[17] produce that application, so the numbers will change every
[18] so slightly.
[19] **MEMBER SCOTT:** I guess my other questions are
[20] primarily of the applicant.
[21] **CHAIRMAN KRAMER:** Other questions?
[22] **MS. STAMATES:** I think based on the regulations
[23] we need to approve a letter of intent and move forward.
[24] **CHAIRMAN KRAMER:** Is the applicant or their
[25] representative present? Please state your name for the

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[1] record.
[2] **MR. WORKMAN:** My name is Mike Workman, Lyon
[3] County Utilities Director.
[4] **MR. FARR:** I'm Brent Farr with Farr West
[5] Engineering.
[6] **CHAIRMAN KRAMER:** Good morning to both of you.
[7] **MR. WORKMAN:** Well, like the staff report said,
[8] Crystal Clear Water is pretty much a basket case. Since
[9] June 1st our staff has gone out, we've evaluated the system,
[10] we've spent roughly \$8,000 to make some intermediate repairs
[11] to the booster system. What we found is that the previous
[12] owners or previous-to-that owners had used agriculture rural
[13] type pumps and equipment in this system.
[14] So we've retrofitted that, got the system
[15] stabilized and at least are able to provide stable pressure
[16] to these customers, but the system is in serious need of
[17] some help. I don't know if there's specific questions, but
[18] we'd sure be willing to answer those.
[19] **CHAIRMAN KRAMER:** Does the Board have any
[20] specific questions of the applicant?
[21] **MEMBER FIRTH:** Mr. Chairman? Kind of out of
[22] curiosity more than anything else, these individual fluoride
[23] treatment units, those are under-the-sink type things and
[24] you're obligated to maintain them?
[25] **MR. WORKMAN:** I believe so. At this point we

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[1] are not maintaining those. There's very little information
[2] and I don't know if Brent's got any on that. So far we've
[3] just focused on keeping the wells and the booster system
[4] operational.
[5] **MR. FARR:** Those fluoride units were to address
[6] a secondary standard and my understanding is they were
[7] buried near the meter, they were like an individual thing.
[8] I don't think they've been maintained.
[9] **MEMBER FIRTH:** Are they like in a valve or a
[10] box?
[11] **MR. FARR:** Yes.
[12] **MEMBER SCOTT:** They put them in a cardboard box.
[13] **MEMBER FIRTH:** That wouldn't surprise me.
[14] **MR. FARR:** The water treatment will address that
[15] as well.
[16] **MR. PENNINGTON:** The units were required because
[17] at the time, and this goes back a long way, the fluoride
[18] standard was different than it is now. The limit up here in
[19] northern Nevada was I think 1.8 or something like that or 2.
[20] Now of course we have 2 as the secondary limit and 4 as the
[21] primary.
[22] The units were spec'ed by someone. I'm not sure
[23] who. I can't recall, but they're very similar to a glass
[24] pack muffler. That's what they look like, probably five
[25] feet long and this big around, (indicating), and there may

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[1] be one down in one of the well houses.

[2] **MEMBER FIRTH:** I've never seen one.

[3] **MR. PENNINGTON:** What they did was they took and
[4] installed one at each connection underground. I don't think
[5] they had a pit or anything like that, they put them in the
[6] ground and it was up to the customer to hook into that if
[7] they felt a need to do that and I guess hardly any of them
[8] did, so they're probably all rusted by now.

[9] **MEMBER FIRTH:** Seems like if it's directly
[10] connected to your service it's going to reduce your pressure
[11] if it goes through some kind of a filter.

[12] **MR. PENNINGTON:** Well, they would have had to
[13] have been changed out. The fluoride is at 2.5 or something,
[14] so they need to get down to 2.

[15] **MEMBER FIRTH:** In your study are you going to
[16] look at that and make some sort of recommendation?

[17] **MR. WORKMAN:** Part of the PER and the pilot
[18] project that we're going to do would look at fluoride as
[19] well as arsenic.

[20] **MEMBER FIRTH:** It was mentioned here that you
[21] have a high silica content that interferes with the arsenic
[22] treatment. How do you deal with that?

[23] **MR. FARR:** There's some vendors that say they
[24] can deal with it and some that don't. That's part of the
[25] pilot study is looking at that, the fluoride and silica.

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[1] **MEMBER FIRTH:** Is there some way to remove
[2] silica? It's not very easy to remove.

[3] **CHAIRMAN KRAMER:** You've got to work around it.

[4] **MR. FARR:** It ends up getting removed and that
[5] ends up competing with the arsenic.

[6] **MEMBER FIRTH:** That's all I have at this time.

[7] **MEMBER SCOTT:** An observation. It sounds to me
[8] like the name Crystal Clear is more of a goal than an
[9] actual?

[10] **MR. WORKMAN:** That is a goal and we're still
[11] calling it that, by the way.

[12] **MEMBER SCOTT:** I appreciate what Lyon County is
[13] doing and this is probably one of those things they probably
[14] didn't tell you about.

[15] **MR. WORKMAN:** No, they didn't.

[16] **MEMBER SCOTT:** I'm curious about this surcharge
[17] that the Public Utilities Commission established. I don't
[18] know how long that was in effect but that's about \$40,000 a
[19] year and I presume their requirement was that it be put
[20] aside for future treatment?

[21] **MR. WORKMAN:** That is correct. What we've done
[22] is we've not done any rate increase hearings or anything.
[23] We've left all of the fees in place that the PUC had
[24] established until after this meeting and we can regroup.
[25] We'll get with our comptroller, Josh Foley, and do some

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[1] projections and go through the normal public process of rate
[2] increases.

[3] We have held two public meetings that were
[4] actually sponsored by the PUC in Yerington, invited each of
[5] the customers and actually had a full house. We filled up
[6] our board chambers at both meetings, and the county manager
[7] did a very good job of explaining to the customers about an
[8] enterprise fund and the need for rate increases once the
[9] county takes the system over, that the users will be
[10] required to fund any matching costs or any costs that aren't
[11] covered by grants and that type of thing.

[12] We did some early estimates that the rates could
[13] be nearing \$90 a month. We also asked for customer support
[14] of the county taking over the system. Nearly half of the
[15] customers wrote in asking the county to take over. We
[16] received no letters in opposition to that.

[17] We're setting the stage for higher rates, but
[18] back to your question, we're charging just exactly what the
[19] PUC required until we go through the public process and
[20] those funds were set aside in a separate account for the
[21] arsenic treatment piece.

[22] **MEMBER SCOTT:** So when you acquired it there was
[23] some sinking fund money available from that account?

[24] **MR. WORKMAN:** There was about two months worth
[25] of those funds.

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[1] **MEMBER SCOTT:** It looked like another iceberg
[2] and I presume you didn't pay a lot of money for this system.

[3] **MR. WORKMAN:** \$10,000, and that covered some
[4] assets that were acquired. There was a backhoe, I think we
[5] ended up paying off the backhoe that the previous owners had
[6] purchased. Like I said, we actually got out there the last
[7] week of May. The booster tank came apart, the PUC didn't
[8] have the staff to handle that, so we just went ahead and got
[9] involved.

[10] We found out that they used we think what were
[11] old propane tanks as the booster tanks.

[12] **MEMBER SCOTT:** They're cheaper. That's all I
[13] had, Mr. Chairman.

[14] **CHAIRMAN KRAMER:** Any other comments by the
[15] Board? Questions of the applicant? Any comments from the
[16] public on this issue, comments by the applicant at all? Do
[17] you have anymore?

[18] **MR. WORKMAN:** I think we've said enough.

[19] **CHAIRMAN KRAMER:** We're ready for a motion.

[20] **MEMBER ZIMMERMAN:** I'll make a motion to approve
[21] the PER for Lyon County on behalf of Crystal Clear Water
[22] Company and this is for a letter of intent and this total
[23] project cost is 50,000. Therefore, the grant amount would
[24] be 85 percent of that number or \$42,500.

[25] **MEMBER FIRTH:** Second.

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[1] **CHAIRMAN KRAMER:** We have a motion and second.
 [2] Is there any further discussion?
 [3] **MEMBER GOETSCH:** Do we have to put it subject to
 [4] the conditions or is that an automatic?
 [5] **MS. STAMATES:** Those conditions are automatic
 [6] per the regulations.
 [7] **CHAIRMAN KRAMER:** It should be mentioned subject
 [8] to the conditions.
 [9] **MEMBER SCOTT:** On further discussion, the letter
 [10] of intent is 42,500 and the grant is 43,350 because I think
 [11] Michelle mentioned that. Do we have to deal with this as
 [12] two separate motions?
 [13] **MS. STAMATES:** Yes, as I understand it. You'll
 [14] have a resolution for the grant.
 [15] **MEMBER SCOTT:** I call for the question,
 [16] Mr. Chairman.
 [17] **CHAIRMAN KRAMER:** All those in favor signify by
 [18] saying aye. Opposed?
 [19] (The vote was unanimously in favor of motion.)
 [20] **CHAIRMAN KRAMER:** We need a second motion.
 [21] **MEMBER SCOTT:** I'll make a motion that we
 [22] approve a resolution designated the 08-06-E3a, Crystal Clear
 [23] Water Company Arsenic PER and Pilot Testing; pertaining to
 [24] the determination by the Board for Financing Water Projects
 [25] of the state of Nevada to provide a grant for the purpose of

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[1] financing certain projects, making certain findings of fact
 [2] and providing other details in connection therewith, subject
 [3] to the staff conditions and in the amount of not to exceed
 [4] \$43,350.
 [5] **MEMBER GOETSCH:** Second.
 [6] **CHAIRMAN KRAMER:** Any further discussion by
 [7] Members of the Board? Any comments from the audience?
 [8] Hearing none, we'll vote on the motion. All those in favor
 [9] signify by saying aye. Opposed? Motion carries.
 [10] (The vote was unanimously in favor of motion.)
 [11] **CHAIRMAN KRAMER:** Churchill County, request for
 [12] additional funding. Brad Goetsch is recusing himself
 [13] because he is the Manager of Churchill County so I told him
 [14] to go home — no, he's going out the door.
 [15] I wanted to ask staff to make sure you present
 [16] this thing so we can understand it. I've been through this
 [17] thing six times and I'm having problems with understanding
 [18] where we are going, so let's go from there. Between staff
 [19] and the applicant we'll get it.
 [20] **MS. STAMATES:** I'll give you a bit of an
 [21] abbreviated summary and start with some history. An
 [22] original grant was given to Churchill County in July of 2004
 [23] in the amount of \$1,099,678. This is 54.48 percent of the
 [24] total eligible project cost of \$3,670,668. The original
 [25] scope of the project included the construction of one new

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[1] water well, one new water storage tank and pumping facility,
 [2] a distribution system with water meters, service connections
 [3] and fire hydrants for 373 equivalent domestic units. I'll
 [4] refer to them as EDUs from now on.
 [5] Based on a record of historical data and the
 [6] existing public water system leaks a network hydraulic model
 [7] was developed to determine the capacity of the consolidated
 [8] system. That model was submitted to and accepted by the
 [9] Bureau of Health Protection Services. That bureau is now
 [10] called the Bureau of Safe Drinking Water and is part of
 [11] NDEP.
 [12] In April of 2005 Churchill County returned to
 [13] the Board for an increase in grant funding. The scope of
 [14] the project was expanded to include other EDUs and water
 [15] treatment. At that time the Board approved only the
 [16] additional water treatment for the removal of iron and
 [17] manganese. This was in addition to the original scope. The
 [18] total grant amount was increased to \$2,328,408.73.
 [19] According to Churchill County and their
 [20] engineers, significant cost increases over the engineering
 [21] estimates were received during the bidding process. These
 [22] increases were doing in large part to higher material costs,
 [23] labor shortages and general uncertainties in the
 [24] construction market. However, in addition to the cost
 [25] increases major changes in the scope of the project

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[1] occurred. These changes were due to the county's desire to
 [2] minimize water treatment costs by consolidating the maximum
 [3] water sources into the minimum number of treatment
 [4] facilities.
 [5] Staff and the Bureau of Safe Drinking Water have
 [6] worked closely with both Churchill County and their
 [7] engineers in an attempt to determine how and why the system
 [8] design changed and the basis for the request of the grant
 [9] increase, this one today. Note that these changes were not
 [10] mandated by NDEP and the design changes between the original
 [11] 2004 grant application and this 2006 application do not
 [12] allow a simple one-to-one comparison.
 [13] The original grant was intended to assist the
 [14] county in designing and installing a water system for 373
 [15] existing EDUs. The county's current requirement for design
 [16] of the water system is based on service to approximately
 [17] 1100 EDUs. The county acknowledges that system upgrades
 [18] designed to serve the additional EDUs would not be eligible
 [19] for grant funds. The individual components discussed in
 [20] this application are not capable of storing or supplying
 [21] safe drinking water to 1100 EDUs. The county will continue
 [22] to add further system components beyond those discussed in
 [23] this application to accommodate growth as it occurs.
 [24] Now we're going to take just a moment to review
 [25] some of the system changes the best that I've been able to

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[1] figure them out. The area chosen to accommodate the
[2] increased size of the facilities forced changes in the
[3] distribution system alignment and changed some of the
[4] existing water system EDUs that can be served by system.
[5] You have diagrams in your Board book showing the changes to
[6] the distribution.

[7] The majority of the cost increases in the
[8] distribution system and the new well are based on increases
[9] in the construction bid amount and appear to be in line with
[10] the number of bids received and current material and labor
[11] pricing. Both of these items are essentially complete, not
[12] quite, but essentially at this point.

[13] The water storage tank installed on this project
[14] has a one million gallon capacity to address existing and
[15] future capacity requirements. This is considerably larger
[16] than the 400,000 water gallon tank originally designed for
[17] this project. The current total storage needed based on the
[18] existing system equipment and number of existing EDUs to be
[19] served is now calculated as 555,460 gallons and accounts for
[20] operational storage, emergency storage and fire storage.

[21] In 2005 the Board authorized grant funding for a
[22] treatment plant to remove manganese and iron for an
[23] approximate total of \$326,880. That's grant amount. The
[24] water treatment plant designed and pre-purchased for the
[25] system will remove manganese, iron and arsenic. The project

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[1] described in the 2004 PER identified a pneumatic pressurized
[2] water distribution system.

[3] However, NAC 445A.6706 states that
[4] hydro-pneumatic systems cannot be used for public water
[5] systems with more than 150 service connections. That
[6] necessitated the installation of a booster pumping system
[7] and this was designed to meet the flow requirements of the
[8] whole distribution system.

[9] The three booster pumps and one fire pump were
[10] sized to serve the 1100 EDUs based on a maximum daily flow
[11] demand of 1200 GPM, residential fire flow requirements of
[12] 1,000 GPM and commercial fire flow of 2500 GPM. Churchill
[13] County also had a system quoted with just two booster pumps
[14] and they were approximately sized to serve the existing
[15] EDUs.

[16] We had the same requirements for residential,
[17] for commercial and for storage flow. The commercial fire
[18] flow requirements and fire pumps sizes that are included in
[19] this design are specifically made necessary based on the
[20] inclusion of Jetway Chevrolet. That is what made the fire
[21] flow the 2500. The project includes a well building and an
[22] operations control building. The operations building will
[23] house the water treatment equipment, the booster and fire
[24] pumps and full facilities to support operation crews.

[25] By completion of the project in early 2007 all

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[1] services will be metered with a tiered rate to encourage
[2] conservation. According to the 2000 census the median
[3] household income in Churchill County is \$40,808. The
[4] current residential water rate is approximately \$42 or 1.2
[5] percent of the MHI. The proposed rates for the new system
[6] shows an initial rate of \$54 or approximately 1.6 percent of
[7] the MHI.

[8] Churchill County anticipates higher rates based
[9] upon additional long-term financing needs. The average
[10] monthly service charge is anticipated to range from 50 to
[11] \$60. The budget provided by Churchill County shows planned
[12] revenues to cover all expenses. The applicant is in the
[13] process of procuring a line from the USDA for \$2,280,000 as
[14] partial funding for the project. The county general fund
[15] will provide the remaining funds necessary.

[16] According to Churchill County if no further
[17] grant monies are available the county will complete the
[18] system with higher user charges to offset the amount of debt
[19] required to finance the system. The county and their
[20] engineers have stated that limited opportunities currently
[21] exist to reduce the scope of the project to achieve the
[22] goals of the county and/or reduce project costs.

[23] Staff's recommendation is the following: The
[24] design of the system presented to the Board in 2004 was
[25] based on a hydraulic model using high historical data for

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[1] Churchill County and Pine Grove Utilities. This design was
[2] deemed technically acceptable by the Bureau of Health
[3] Protection Services. Since that time the county continued
[4] to expand its design to encompass further commercial and
[5] residential areas as evidenced by the grant request
[6] submitted in 2005 and again this year.

[7] Designing this system to new water system
[8] regulations provides additional storage and system capacity.
[9] However, the original grant was based on historical data for
[10] existing systems. The original plan appeared to have a cost
[11] effective exclusion for addressing the issues related to the
[12] existing county water systems and was appropriately limited
[13] in scope to the service area of the systems being
[14] consolidated.

[15] It appears that the intent of the original grant
[16] was to provide a so-called backbone for the future county
[17] water system and in doing so it would consolidate some of
[18] the smaller water systems and address system compliance
[19] issues related to redundancy, storage capacity, minimum
[20] pressure requirements, water quality and water rates.

[21] Increases in costs to a backbone system would
[22] not be out of the ordinary. However, the significant cost
[23] increase shown in the 2006 application is not due only to
[24] increases in material labor but also to the scale of the
[25] system designed to the new water system standards.

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[1] Staff calculated a total eligible project cost
[2] for the existing and now it's 351 EDUs are being connected
[3] according to the information, there is an eligible project
[4] cost of \$5,885,674.40, and staff recommends a grant increase
[5] of \$878,106.68. This would give this grantee a total amount
[6] of \$3,206,515.41. This would be over a two-year period and
[7] subject to the conditions that staff has included.

[8] Those conditions are that the grantee must
[9] ensure that all of the mobile home parks funded in this
[10] grant are tied into the Churchill County water system and
[11] includes all the conditions of the original grant.

[12] **CHAIRMAN KRAMER:** Does that mean that the water
[13] systems would be owned and operated by the county? This is
[14] what happened the last time we talked about this issue and I
[15] think a lot of that has been resolved.

[16] **MS. STAMATES:** They would be owned and operated
[17] by the county. The county is currently operating Pine Grove
[18] as I understand it.

[19] **CHAIRMAN KRAMER:** Are there any other questions
[20] of staff? The applicant might as well come up. Take a
[21] seat. Do Board Members have questions of staff before we
[22] talk to the applicant?

[23] **MEMBER SCOTT:** Nothing at this point. Thanks.

[24] **CHAIRMAN KRAMER:** I read the minutes, and thank
[25] you for that. It's very good that you put that in there. I

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[1] read the minutes from the last time we discussed this issue
[2] and I guess my name was in it a lot. I was really concerned
[3] about this ownership thing.

[4] Are you comfortable with what we're trying to do
[5] here? Are you comfortable in reviewing this, that the Board
[6] in looking at this application now, that everything is in
[7] order compared to the problems that we had in the last
[8] meeting about who owned what and who was going to take care
[9] of it, et cetera, et cetera, et cetera?

[10] **MS. HUYEN:** As I understand it, it's owned and
[11] operated by the county.

[12] **MS. LOCKWOOD:** That's correct.

[13] **CHAIRMAN KRAMER:** That's what I wanted to know.
[14] Questions of the applicant? Would you guys state your
[15] names?

[16] **MS. LOCKWOOD:** I'm Eleanor Lockwood.

[17] **MR. MASSEY:** Rex Massey.

[18] **MR. ZIMMERMAN:** Chuck Zimmerman with Brown and
[19] Caldwell.

[20] **MR. BELLIN:** I'm Joel Bellin.

[21] **MEMBER SCOTT:** Obviously we have a fluid
[22] situation here, so to speak, and from what we just went
[23] through on the staff report, I presume between construction
[24] costs and acquisition or other issues the county has had to
[25] deal with in terms of water and so on, this project has sort

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[1] of morphed into something that is different than what it
[2] was. It might help if somebody could briefly outline from
[3] the county's perspective what you've gone through that gets
[4] us here today, and then I'd like to hear your thoughts with
[5] respect to the recommendations of the staff.

[6] I'd like to know a little bit of history from
[7] the county's perspective because I know you're like so many
[8] other counties inheriting or becoming owners of systems that
[9] are not in very good shape and in your particular case have
[10] some sort of world record arsenic levels.

[11] It's just a tough situation, but I'd be
[12] interested in hearing what's going on in the big picture
[13] with Churchill County that way.

[14] **MR. MASSEY:** I'll answer that one as best I can.

[15] The history is long. We were initially talking about 2004.
[16] I think the system that you have today and the maps that are
[17] presented to you are substantially the same as what we
[18] talked about in 2004, particularly with respect to the
[19] distribution system.

[20] At one time there was an application that came
[21] in to the Board about tying in another water system but that
[22] was rejected. What you have in the map today, I think the
[23] system is substantially the same as it was in 2004. We did
[24] a PER and you have to realize we're working in an area
[25] that's probably pretty difficult in terms of acquiring

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[1] access. We have TCID and BOR to deal with, the railroad,
[2] NDOT, a number of private ownerships in there to weave our
[3] way through.

[4] We have a number of utilities that already have
[5] easements and roadways that we thought we could get into, so
[6] we did our best to align the distribution system similar to
[7] what we had proposed in 2004 to the Board. I don't think
[8] and I believe it was a discussion between Churchill County
[9] and staff, most notably Michelle, I don't think our
[10] distribution changed a whole bunch. There were some
[11] realignments because we had to do it.

[12] We ran into problems when you get into the meat
[13] of it in crossing the highway and working with the railroad
[14] that we had to make some minor adjustments to the alignment
[15] of the distribution system. I think from our perspective
[16] that's remained relatively the same.

[17] The number of people that we had planned on
[18] connecting has always been fluid. In 2004 we tried to give
[19] the Board our best estimate of how many people we think we
[20] would connect. We have a number of commercial customers in
[21] there that have varying needs for water, some more than what
[22] we estimated, some less. The private systems that we
[23] anticipate connecting, we have agreements with all of them.

[24] Staff asked us to work with Jetway Chevrolet.
[25] We had a problem with construction because once the water is

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[1] turned on, and the TCID system is very hard to cross canals
[2] and lines in certain areas, but we are working with Jetway
[3] Chevrolet. It's a private system. We met with the property
[4] owners and came up with an initial layout of where the water
[5] system is going to go and hopefully this winter we'll be
[6] able to do that work.

[7] **MEMBER ZIMMERMAN:** To interrupt for a second,
[8] Jetway Chevrolet is not just their commercial building?

[9] **MR. MASSEY:** There's a well that serves a number
[10] of commercial users already.

[11] **CHAIRMAN KRAMER:** Was one of the crossings there
[12] in front the Wal-Mart?

[13] **MR. MASSEY:** You had to cross a path to get into
[14] Jetway Chevrolet and we bribed, stole, whatever to hold off
[15] on the water until mid May.

[16] **CHAIRMAN KRAMER:** They didn't go for it, did
[17] they?

[18] **MR. MASSEY:** They did. It was very difficult
[19] because they were putting a lot of water into the system and
[20] to go into Jetway Chevrolet we had to wait until the canals
[21] dried out.

[22] One of the big issues was the change in the
[23] location of the well and I think there were a number of
[24] mitigating factors, and Chuck, you can add to that. The
[25] county had done some test holes to find out because of the

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[1] water quality varying significantly in that area and we
[2] spent a fair amount of money doing that.

[3] We found we had fairly high arsenic levels in
[4] the area. We planned to build the well and the original
[5] operations building and then we ran into another mitigating
[6] factor. The property had some contamination on it from
[7] previous activity. There were some tailings on there that
[8] took about a year to resolve between the property owners.

[9] So we really had a site that didn't work very
[10] well and when we looked at the water quality data, we looked
[11] at the test information that we gathered from the well tests
[12] that we did, we felt that relocating this particular site
[13] from our original site to a new site was in the best
[14] interests of everybody.

[15] **MR. ZIMMERMAN:** Yeah, that's accurate, and I'll
[16] just add that I think in the 2004 PER we originally thought
[17] that all of the facilities would be located on the golf
[18] course and that also included a new wastewater treatment
[19] plant and it turned out that site was best suited for the
[20] wastewater plant.

[21] The site for the well that we thought might be
[22] adequate turned out not to be the case and that's when we
[23] came before you again and we talked about the procurement of
[24] a manganese and iron treatment plant, and your approval was
[25] contingent upon some results of a new test well we put in in

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[1] an area down towards Pine Grove and the results of that
[2] water quality came out very well.

[3] We had as low an arsenic and iron and manganese
[4] volume that you're going to find anywhere in the valley, so
[5] that was determined to be the best site for the well and it
[6] made sense for the tank and booster pump station to be
[7] located right there and that's the primary reason why we
[8] have a new location for those facilities.

[9] **MEMBER SCOTT:** If I understand some of the other
[10] elements in the staff report they basically relate to the
[11] scope in terms of providing for future growth versus meeting
[12] existing customer requirements. Are the proportions or the
[13] breakdowns that staff is suggesting here in terms of
[14] allocation of what qualified for grant and what is new
[15] growth, are those something that you are okay with?
[16] Obviously you'd like more money.

[17] **MR. MASSEY:** We have a letter that we'd like to
[18] hand out to the Board and I think on the second page we can
[19] address that question.

[20] **MR. ZIMMERMAN:** This letter is in lieu of a
[21] presentation with a screen. Given the size of the room,
[22] it's difficult.

[23] **MEMBER SCOTT:** You couldn't induce better
[24] quality water from the Carson River in that location?

[25] **MR. ZIMMERMAN:** Not.

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[1] **MR. MASSEY:** We just wanted to give you a status
[2] report of where we were in terms of completion. Michelle's
[3] staff report covered all that, the basis for the grant
[4] increase and then if you go to the second page it will
[5] answer Mr. Scott's question. I'll just read it.

[6] "Churchill County generally agrees with NDEP
[7] staff recommendations for the Grant Eligible Components,
[8] with the exception of the Sand Creek Operations Building.
[9] The NDEP staff report provided \$674,873 in grant eligible
[10] costs for the operations site, applying EDU ratio of 351
[11] units to 1100 units to the project costs. This rationale
[12] does not represent a practical approach to reconciling cost
[13] differences for the Sand Creek Operations Project for the
[14] following reasons:

[15] "Construction costs do not follow one-to-one
[16] ratios with respect to size or capacity of facilities; 2,
[17] the NDEP staff report does not consider the economies of
[18] scale for construction projects; and 3, the EDU ratio is
[19] arbitrary in regards to the capacity of the system. As
[20] such, the construction costs for the lower capacity
[21] facilities and a smaller building size would not result in
[22] significantly reduced project costs.

[23] "A more accurate approach to determine the grant
[24] eligible project cost is to factor a reduced operations
[25] building, based on a smaller equipment footprint, in the

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[1] project. Our Engineers calculated approximately 826 square
[2] feet or 28.7 percent could be removed from the operations
[3] building, along with air conditioning and bathroom as
[4] recommended by staff. The majority of other site
[5] improvements remain unchanged. The following summarizes the
[6] rationale for increasing the grant amount above the value
[7] provided in the NDEP staff report."

[8] Our actual bid costs on that building were
[9] \$2,114,987. If we apply the numbers we talk about in the
[10] paragraph above, you can see that we came down with an
[11] adjusted cost of \$1,462,279 and that's what we believe to be
[12] a realistic estimate of what is a grant eligible cost for
[13] the Sand Creek operations building.

[14] **MEMBER ZIMMERMAN:** As compared to the 674,000?

[15] **MR. MASSEY:** Yes. We've gone through the bid on
[16] that building and we're advised there's no way we can
[17] building the operations building for 351 people for
[18] \$674,000. It's substantially more than that. We've tried
[19] to come up with a formula that takes into some consideration
[20] the economies of scale that are there, sharing those with
[21] the State, and we've also taken out the bathroom per staff's
[22] request, the air conditioning per staff's request, and I'd
[23] also note in our calculations if you continue down that
[24] page, that we've limited our contingency to 7.5 percent and
[25] I think there's some limited amount of increases for

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[1] engineering dollars as well.

[2] So we are trying to work this out as best we can
[3] in terms of this disagreement and I think we've provided a
[4] fair approach to doing that.

[5] **CHAIRMAN KRAMER:** Comments from staff?

[6] **MS. STAMATES:** I've not seen this before. I'm
[7] sorry, I can't give you any assessment of it without
[8] reviewing it closely.

[9] **MEMBER FIRTH:** Mr. Chairman? I'm new at this
[10] because I wasn't here when this came up before, but you've
[11] got numbers all over the place here and I really don't know
[12] how to connect any of them. I was just looking at some of
[13] the 2004 and '05 estimates compared to your actual bid
[14] costs, and in several cases they're more than double. Why
[15] is there such a discrepancy? Why were the original
[16] estimates so low?

[17] **MR. ZIMMERMAN:** The original estimates were too
[18] fundamental. It was suggested that we look at similar costs
[19] for system improvements in Lyon County and the bids that
[20] were actually provided in 2003 as the target for the cost
[21] estimates for what we used in the 2004 PER and we did that.

[22] So I think the costs in 2004 were somewhat
[23] artificially low but that's what we were requested to do.

[24] **MEMBER FIRTH:** You were requested by who to use
[25] the Lyon County numbers?

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[1] **MR. ZIMMERMAN:** By the USDA engineers who we
[2] were working with on the project.

[3] **MEMBER FIRTH:** The iron and manganese treatment
[4] process, is that a precipitation process?

[5] **MR. ZIMMERMAN:** A coagulation filtration
[6] process.

[7] **MEMBER FIRTH:** So you have to backwash it and
[8] what do you do with the backwash water?

[9] **MR. BELLIM:** The backwash goes into a tank and
[10] is decanted, reclaimed back into the system about 70 percent
[11] and then there's waste that does get discharged into the
[12] sewer system that settles down in that tank.

[13] **MEMBER FIRTH:** Are there any solids that are not
[14] decanted, that go back into the system and are treated at
[15] the treatment plant?

[16] **MR. BELLIM:** Yes.

[17] **MEMBER FIRTH:** You don't have anything that you
[18] have to physically haul away there at the site as kind of a
[19] waste product?

[20] **MR. BELLIM:** No.

[21] **CHAIRMAN KRAMER:** Wait a minute. How are you
[22] not going to end up with something that has to be decanted?
[23] You're going to have — is a manganese? You're going to
[24] have a residual that you're going to have to get rid of.
[25] It's going to be black and ugly. How are you going to get

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[1] rid of that?

[2] **MR. BELLIM:** The tank has a sludge collection
[3] system at the bottom and that is designed to discharge, to
[4] collect that sludge and discharge that.

[5] **CHAIRMAN KRAMER:** You're going to discharge that
[6] into the sewer system?

[7] **MR. BELLIM:** Yes.

[8] **CHAIRMAN KRAMER:** I don't know if that's proper
[9] to do. I think that's a hazardous material. Where am I
[10] going here, Dana; up a wrong tree?

[11] **MR. PENNINGTON:** You're going by me because I
[12] don't have any authority to discuss the waste site.

[13] **CHAIRMAN KRAMER:** We had a manganese treatment
[14] plant in the city of Fernley when I first came there and we
[15] put a settling basin in and we had to take the water back
[16] into the plant and use it, but we had to retreat the sludge
[17] out of the bottom of the pond which was a hazardous waste
[18] material and then barrel it up and ship it.

[19] What we finally did was is we started taking it
[20] to a camp because they can take care of it. I don't believe
[21] you can discharge a material like that and put it in a sewer
[22] plant.

[23] **MEMBER FIRTH:** I think it depends on what type
[24] of a wastewater plant they have. Some of them can handle
[25] that type of material.

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[1] **MEMBER SCOTT:** It sounds like it's a hazardous
[2] material.

[3] **CHAIRMAN KRAMER:** You should ship it out of
[4] state.

[5] **MEMBER FIRTH:** You've got to dispose of it
[6] someplace.

[7] **CHAIRMAN KRAMER:** It's a question I bring up and
[8] it just amazes me.

[9] **MS. LOCKWOOD:** We have been talking to NDEP and
[10] they're involved in the regulations and designing of our
[11] wastewater treatment plant.

[12] **MR. BELLIM:** It's been reviewed by both the
[13] Bureau of Safe Drinking Water and NDEP.

[14] **CHAIRMAN KRAMER:** Fine. Then what we can do if
[15] this is approved is I would ask whoever makes the motion
[16] that we get a letter from NDEP that the money that we're
[17] spending or whatever is left over from the plant can be
[18] approved by NDEP and put in the sewer system just as a
[19] backup insurance policy for you and for us if we agree to
[20] give you the money.

[21] **MEMBER FIRTH:** I had another one. There's a
[22] proposed condition here that all the mobile home parks be
[23] connected to your system. How do you meter those?

[24] **MR. MASSEY:** We have a master meter.

[25] **MEMBER FIRTH:** Do you have a special rate for

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[1] trailer parks on a master meter?

[2] **MR. MASSEY:** It will be based on the amount of
[3] water that they use. I don't know if we're going to have
[4] any special rate for them.

[5] **MEMBER FIRTH:** If you've got 100 trailers you're
[6] got a huge quantity and your standard residential rate isn't
[7] going to work on that. Most systems that master meter
[8] trailer parks have a special rate because it's such a large
[9] quantity and you have your first block, second block,
[10] whatever. You don't have any rate now that you're metering
[11] and serving trailer parks?

[12] **MR. MASSEY:** No.

[13] **MEMBER FIRTH:** Michelle, how many are there, do
[14] you know roughly?

[15] **MS. STAMATES:** I want to say four, but there
[16] might be five.

[17] **MS. LOCKWOOD:** There are three of them that have
[18] been connected.

[19] **MR. MASSEY:** They have their internal systems
[20] and wells.

[21] **MS. LOCKWOOD:** They're very small. One is 35,
[22] one is 40, something like that, they're small.

[23] **MR. MASSEY:** Mr. Scott, back to your question on
[24] the different components, there were some different
[25] calculations on some of other components in there. The way

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[1] we did it and the way Michelle did it, we came very close,

[2] so those numbers are fine with us. There wasn't a large
[3] difference in the dollar amount.

[4] We just felt that the Sand Creek operation
[5] system is different. We had some discussions with staff.
[6] What we have in the letter today is similar to what we had
[7] proposed in the past and I think that the grant eligibility
[8] component of the Sand Creek operation center is the one area
[9] that we disagree on with the staff report.

[10] **MEMBER SCOTT:** If I can just follow up on that,
[11] if I understand it, you're talking about an \$800,000
[12] difference; is that right?

[13] **MR. MASSEY:** About 600,000.

[14] **MEMBER ZIMMERMANN:** You said 78 is the staff
[15] recommendation.

[16] **MEMBER SCOTT:** Okay. In any case, it's
[17] significant, and if I understand basically the question
[18] you're raising is you can't exactly proportion this to get a
[19] true what would it be if we went to the smaller number as a
[20] whole cost, and I think obviously your letter is relatively
[21] new information or at least from our standpoint is
[22] information that we and I assume based on today's date
[23] probably the staff may have had some discussion, but the
[24] staff hadn't seen the calculations.

[25] I'm not adverse to further consideration of that

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[1] but I'm not sure that today's the day to do it. My thought
[2] would be letting staff take a look at this and getting their
[3] thoughts on the specifics and maybe working through with the
[4] idea that at least in my mind conceptually I don't have a
[5] problem with the general theory.

[6] I think it's more the idea that this isn't
[7] really the place to work out the nuts and bolts without some
[8] staff review and our assurance that staff is comfortable or
[9] we understand the assumptions or for that matter, we focus
[10] on the differences. That's just my opinion, Mr. Chairman.

[11] **CHAIRMAN KRAMER:** I appreciate you trying to
[12] clear this up, but we do have a policy that says that staff
[13] will be made aware of any changes in a proposal way before
[14] the meeting. To have something like this come in the day of
[15] the meeting does not make me feel good for my staff because
[16] they can't reply to it.

[17] **MEMBER SCOTT:** I think what I'm saying is, staff
[18] obviously hasn't had a chance to look at this. The concept
[19] that we're bringing forth is worthy in my mind of at least a
[20] look by staff, but I'm not suggesting that we can make that
[21] determination today.

[22] **CHAIRMAN KRAMER:** I would agree.

[23] **MR. ZIMMERMAN:** There's maybe something to add
[24] here. Back in May staff and all of us met to talk about
[25] this specific issue and we spent time touring the system and

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[1] we spent time going through more or less the same
[2] calculations we have here in this letter.
[3] My impression from that meeting was that we
[4] agreed that all of these components generally would fall in
[5] some range of the 70 percent to 90 percent of the bid costs
[6] that would be eligible.

[7] We had then prepared our letter dated June 27th
[8] thinking that that was still a valid assumption and we had
[9] not heard from that meeting in May that the staff was not
[10] thinking along those same lines and fell back to this EDU
[11] percentage as the best way to go.

[12] We had already been through this at a fairly
[13] detailed level with staff back in May before we submitted
[14] this letter, just as a point of information.

[15] **MEMBER SCOTT:** Was there any communication,
[16] Chuck, or anything further before today in terms of response
[17] to the staff report or anything like that?

[18] **MR. ZIMMERMAN:** Well, I think it was our opinion
[19] that the staff report was issued and that no more submittals
[20] were eligible to come to the Board prior to the meeting
[21] because there's a deadline for any submittals for a
[22] particular action.

[23] Like I said earlier, in lieu of a presentation
[24] we prepared this letter. That I think would be more or less
[25] similar if you remember back to when we applied for the

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[1] grant money for the water treatment plant, that was pretty
[2] much based on the presentation about how we're going to
[3] drill a well and test it and so forth. I think it's more or
[4] less the same concept in that we're presenting new material
[5] and then you approved that conditionally that the test
[6] results of the well were acceptable, and then we received a
[7] letter.

[8] I think we were of the opinion that this would
[9] serve the same purpose, but if it doesn't, we can work
[10] through that I guess.

[11] **CHAIRMAN KRAMER:** I think you're going to have
[12] to work through it. Other questions by other Board Members?

[13] **MEMBER ZIMMERMAN:** I've got a few questions.
[14] What's the timeline? There is a lot of information in here
[15] and I have read this, but the timeline on spending these
[16] dollars, what phase over about how long a period of time is
[17] there, a schedule for construction for completing what you
[18] are proposing?

[19] **MR. ZIMMERMAN:** Everything will be built January
[20] 2007.

[21] **MEMBER ZIMMERMAN:** All dollars will be spent by
[22] January 2007?

[23] **MR. MASSEY:** Yes, lines completed and the Sand
[24] Creek operation center is under construction.

[25] **MEMBER ZIMMERMAN:** I see that you have the

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[1] funding coming from USDA, the \$2.3 million and that's a
[2] loan?

[3] **MR. MASSEY:** It's a loan with a small amount of
[4] grant money that went into contingency, and given that we
[5] have a building that is at a site, we may run into some
[6] contingency, so what we ended up with was all loan money.
[7] You know how their system works, you draw down on the loan
[8] money and then you go to the grant money. There's \$250,000
[9] of grant money in there, but my guess on this project is we
[10] won't be able to access that grant money because it was
[11] funded, most of it was used to fund the contingencies.

[12] **MEMBER ZIMMERMAN:** So you have everything
[13] covered in your costs if you get this 2.3 million and then
[14] you're looking at the grant from us. Does that cover
[15] everything?

[16] **MR. MASSEY:** Yes.

[17] **MEMBER ZIMMERMAN:** Then I guess there's a small
[18] contribution from Churchill County, correct, 25,000?

[19] **MR. MASSEY:** There's substantially more than
[20] that. We have a line of credit set up with Wells Fargo Bank
[21] that we've been drawing on but that's backed by general
[22] resources and it's a loan in effect to the utilities, so it
[23] has to be paid back.

[24] **MEMBER ZIMMERMAN:** Are you an enterprise fund?

[25] **MR. MASSEY:** It will be an enterprise operation,

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[1] completely separate, yes.

[2] **MEMBER ZIMMERMAN:** Is the 2.3 figured into your
[3] rate yet or no, the loan with USDA?

[4] **MR. MASSEY:** Yes. We recalculated that. As the
[5] project changes, costs go up, loans come in and we're
[6] continuing to recalculate and I think we're going to be
[7] easily in the 50 to \$60 range on an average revenue that you
[8] have to bring in per month.

[9] **MEMBER ZIMMERMAN:** The current rate that's in
[10] here now, the \$42 estimated average rate does not include or
[11] does it include?

[12] **MR. MASSEY:** It does. That was the original
[13] rate on the first grant application. We came in and the
[14] Board set the \$42 level. We are starting being the 55, 55
[15] and higher level, but I would say 50 to 60.

[16] **MEMBER ZIMMERMAN:** What's going to cause those
[17] rate increases?

[18] **MR. MASSEY:** Principally the debt. The debt is
[19] a big component of that. We've made allocation of funding
[20] quite a bit of depreciation in that as well.

[21] **MEMBER ZIMMERMAN:** In reading the material here
[22] I see that these changes are not mandated by NDEP, so I'm
[23] assuming that some of the changes are not made necessary by
[24] the regulations. So my question of staff is what you've
[25] recommended, does that include the costs that are not made

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[1] necessary by the regulations?

[2] **MS. STAMATES:** I don't believe so, but the issue
[3] of the operations center, having a center the way it's
[4] described and I don't have the design on it, but the way
[5] it's described is not made necessary by anything, but
[6] finding a place to put a treatment plant and pumps is
[7] certainly necessary.

[8] **MEMBER ZIMMERMAN:** And the operations center, is
[9] that what's discussed in here, in the letter?

[10] **MS. LOCKWOOD:** Yes.

[11] **MEMBER SCOTT:** I think the intent of staff,
[12] Stephanie, is to fund only a percentage of what is eligible
[13] under the guidelines.

[14] **MEMBER ZIMMERMAN:** Based on the existing
[15] customers?

[16] **MEMBER SCOTT:** Right.

[17] **MEMBER ZIMMERMAN:** We didn't further segregate
[18] costs that weren't made necessary, they were sort of lumped
[19] in with the whole project?

[20] **MS. STAMATES:** They were lumped in.

[21] **MEMBER ZIMMERMAN:** Here is my issue and help me
[22] understand and make a case for this. As I read through the
[23] material I see that you're planning for the 1100 EDUs. I
[24] don't know if it's one EDU per connection, I'm not sure how
[25] that works. You're planning for the 1100 EDUs. The

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[1] existing was like 370 and now we're down to 350 and you're
[2] putting the money in for the growth aspect, and my thinking
[3] is that maybe the dollars that you've spent on the growth
[4] part should have been used for the compliance portion.

[5] It's not a small amount the way I'm reading it,
[6] 1100 versus the 350. Help me understand why this entire
[7] project needed to be done the way it's been done, therefore,
[8] you couldn't have avoided spending the other dollars on the
[9] growth aspect and couldn't have spent those dollars on the
[10] compliance aspect of the system. Does that make sense?

[11] Essentially what I'm saying is you're spending
[12] the dollars on the growth portion. Couldn't you have spent
[13] those dollars on the compliance portion, and therefore, that
[14] would have been your source of funding?

[15] **MR. ZIMMERMAN:** Can I attempt to answer that, if
[16] I think I understand? The question is if you're looking at
[17] compliance for the existing 373 or 350 or whatever that
[18] number is versus looking at up to 1100 EDUs, that's the
[19] difference you're trying to resolve.

[20] I think Rex explained that from 2004 to the
[21] present the best estimate of existing customers that we
[22] could hook on to has changed because of easement and right
[23] of way issues, that we couldn't access everybody right away
[24] and also bringing in Jetway Chevrolet and so forth.

[25] So of that ratio the numerator, 373 or 350

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[1] whatever it turns out to be is somewhat — there's a range

[2] there. The denominator, 1100, is based on a number of —
[3] it's the maximum capacity that the booster pumps that we've
[4] currently designed and are constructing will achieve, 1100.

[5] For example, the treatment plant is designed for
[6] 750 GPM. That's different than the 1100 for the booster
[7] pumps and the extra capacity is really one pump. Two pumps
[8] and the fire pump would handle what is required for the
[9] existing system and we're only adding one pump to get to
[10] 1100. The treatment plant is designed for 750.

[11] When we drilled the well we were anticipating
[12] that was going to be about a 500 a gallon a minute well. In
[13] our aquifer tests it turned out we can pump maybe up to
[14] 1,000 gallons a minute. Prudently I would recommend that
[15] it's going to make about 750, somewhere in that range. So
[16] that denominator has a range too and that's why we said in
[17] our letter that this ratio is somewhat arbitrary.

[18] Seemed like the ratio was pretty much an easy
[19] way to come up with a figure that you guys could approve and
[20] that makes sense, I understand that, but in detail and what
[21] we tried to express in our letter was that if you look at
[22] the engineering of the Sand Creek operations center and all
[23] of its components and you look at economies of scale as we
[24] tried to describe it and the nonlinear relationship between
[25] costs and capacities, that there is a different number

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[1] that's different than just what's being used in the ratio
[2] that makes more sense for serving the existing system and
[3] that's what we've presented to you in the letter.

[4] Hopefully that answers your question.

[5] **MEMBER ZIMMERMAN:** Well, I'm not an engineer and
[6] I'm grasping some of it because I'm hearing basically you
[7] have to spend some of that money regardless.

[8] **MR. ZIMMERMAN:** That's exactly what we're trying
[9] to say. For compliance, the costs that we presented in the
[10] letter is our best engineer's estimate of that cost.

[11] **MEMBER ZIMMERMAN:** I read it like saying I'm
[12] going to go buy a car and someone will pay 10,000 for that
[13] car but I really want a Cadillac. So the Cadillac is 25,000
[14] but I'm getting ten from somebody else. All I have to do is
[15] come up with the 15,000. Well, if I could come up with the
[16] 15, I really could pay for the \$10,000 car and be done and
[17] not get help from anybody and that's the part that I'm
[18] struggling with. I couldn't from these numbers in here
[19] determine what related to the excess.

[20] **MR. BELLIM:** I think what the county is trying
[21] to say is the cost to put in a water distribution system,
[22] treatment plant, pumping system, if the county were to
[23] install that system based on the 373 EDUs initially and the
[24] county chose to come back and upgrade all those components
[25] it's going to cost significantly more in the future than it

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[1] is today to put in a slightly larger treatment plant,
[2] booster pump, water tank, et cetera, in order to provide
[3] that extra capacity.

[4] So again, they're using the economy of scale in
[5] construction in order to provide for a larger system and
[6] trying to minimize costs.

[7] **MR. MASSEY:** The total EDUs they focus on, 1100,
[8] the whole system can handle 1100. As Chuck explained, it
[9] can't. There's components in there that probably limit us
[10] to 750 services because we have a 750 gallon a minute well,
[11] so we're somewhat limited.

[12] We tried to say with the 1100 that we think
[13] ultimately down the road to be fair and give the Board fair
[14] numbers we think we can put 1100 with this building, at some
[15] point with upgrades and other components that we can go up
[16] to 1100 EDUs sometime in the future.

[17] That was driven out of our desire to try to
[18] minimize water treatment costs because we have a difficult
[19] type in Lahontan Valley. The water quality out there isn't
[20] uniform and what we found out from a lot of the test wells
[21] we did is it varies from location to location substantially
[22] and when you find an area of good quality water you want
[23] your production wells in that area and the treatment plant
[24] at one location rather than duplicate those over and over
[25] again at a much higher cost.

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[1] I think that's another element that I would add
[2] into this discussion of the 1100. I think we actually have
[3] something less than 1100 at this point that we should be
[4] basing a ratio on.

[5] **MEMBER SCOTT:** I think what happened, Stephanie,
[6] is our regulations are pretty rigid in terms of existing
[7] users. If Churchill County as a growing area were to build
[8] to the 350 or 375, whatever the number is and hold it at
[9] that, then here comes something else down the road, I'm
[10] sorry, we don't have capacity for you to hook up and it puts
[11] folks on staff and folks in elected positions in a bad way
[12] when they just borrowed money and contracted to build
[13] something. So we forced them to pay for that extra
[14] increment but they need our contribution in order to get
[15] there.

[16] I think the other thing is just the general
[17] argument that if I build a 2000 square foot house it doesn't
[18] cost twice as much as a 1,000 square foot house.

[19] **MEMBER ZIMMERMAN:** Right, I get that.

[20] **MEMBER SCOTT:** I think they'd be out of office
[21] or out of jobs if they didn't have growth provided for at
[22] least in some of the components. The treatment facility,
[23] you can add modules, the booster pumping, you can set up or
[24] sometimes you can increase them or leave a place for another
[25] pump or that type thing, but the pipe in the ground and some

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[1] of the other things are pretty much committed.

[2] I think staff has tried to segregate those
[3] elements and prorate and I think the gist of their concern
[4] is the proration on the operations center is in
[5] disagreement.

[6] **MEMBER ZIMMERMAN:** You're comfortable with the
[7] way this has been laid out?

[8] **MEMBER SCOTT:** Frankly I think it's critical
[9] that we help give them the seed money to do what they need
[10] to do to add their increments for expansion because
[11] otherwise we'll be back here with systems that don't work or
[12] the regulatory community is going to be in a position where
[13] you can't meet fire flows. It's not an efficient operation.
[14] We can't provide for the growth but we can provide the basis
[15] that allows them to borrow a little bit further to take care
[16] of the growth but not with our money, at least that's the
[17] way I see it.

[18] **MS. LOCKWOOD:** Mr. Scott, I appreciate you
[19] saying that because I think that's the dilemma all along.
[20] We at Churchill County are trying to understand the
[21] regulation, one, but two, provide to you only the eligible
[22] costs that we believe are eligible.

[23] With all due respect, the staff has spent a
[24] tremendous amount of time helping us through this process.
[25] However, when we submitted this application and spent hours

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[1] and hours with staff and likewise they spent hours and
[2] hours, I think the end result was we need to let the Board
[3] decide on this final disagreement.

[4] If indeed you decide not to make a decision
[5] today, I would sincerely ask you to provide us with
[6] guidelines as to where we need to come to some compromise on
[7] the disagreement. Churchill County has done its best just
[8] to provide to you what we believe are the eligible costs.

[9] I sincerely agree with what you are saying. If
[10] all we do is replace a broken system with a new system we're
[11] in serious trouble. I would like not to come back to this
[12] Board again next year. However, if we don't provide — and
[13] Churchill County is paying a pretty penny to make sure that
[14] we are building a system that accommodates what we have
[15] already, but allows for us not to die but to continue a
[16] steady growth.

[17] We are paying for the costs of that growth as
[18] are the developers.

[19] **CHAIRMAN KRAMER:** I have a question concerning
[20] fire flow. It says in our report here that the fire demand
[21] of 2500 gallons a minute is based mainly on Jetway
[22] Chevrolet's water system. But then I heard a while ago that
[23] the fire demand required for commercial in Churchill County
[24] by the fire department is 2500 gallons a minute. Is that
[25] true?

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[1] MR. BELLIM: Yes.

[2] CHAIRMAN KRAMER: You need to provide 2500
[3] gallons a minute at the hydrant?

[4] MR. BELLIM: That is from the fire marshall,
[5] yes.

[6] CHAIRMAN KRAMER: If Jetway Chevrolet is telling
[7] you if I'm going to be a customer you have to furnish me
[8] 2500 gallons a minute at the hydrant, why are you, and I may
[9] be wrong on this, why are you funding a fire pump? Jetway
[10] Chevrolet should fund their own fire pump just as most other
[11] utilities do and they just suck off your hydrant and boost
[12] it to whatever you want. You shouldn't have to have a fire
[13] pump in line or do you have to have a fire pump in the line
[14] in order to get the 2500 gallons at the hydrant?

[15] MR. BELLIM: Yes, you need a fire pump to get
[16] that 2500 to the hydrant. Jetway isn't the only commercial
[17] end-user here.

[18] CHAIRMAN KRAMER: That's what I was thinking.
[19] Wal-Mart —

[20] MS. STAMATES: No, Wal-Mart is on the city
[21] system.

[22] MR. MASSEY: From Allen Road to the river.

[23] MEMBER FIRTH: The 2500 is only for the
[24] commercial. Residential is 1,000. So if you have a 2500
[25] GPM requirement at some commercial place that's surrounded

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[1] by subdivisions you put in a separate fire pump to serve the
[2] commercial?

[3] CHAIRMAN KRAMER: That's true usually.

[4] MEMBER FIRTH: Then you deliver just the 1,000
[5] GPM to the residential hydrant. Where is this fire pump?

[6] MR. BELLIM: It's in the operations building as
[7] part of booster pump scale.

[8] CHAIRMAN KRAMER: That gets back to my original
[9] question. Why are you furnishing — why are you having to
[10] do Jetway's booster work when they should be doing it? Why
[11] shouldn't Jetway have their own fire pump if the requirement
[12] is only 2500?

[13] MR. BELLIM: Again there's other commercial —

[14] CHAIRMAN KRAMER: Then they should have fire
[15] pumps too.

[16] MR. PENNINGTON: Aren't you going to be the
[17] owner/operator of the system that supplies water to Jetway?

[18] MS. LOCKWOOD: That's correct.

[19] MR. PENNINGTON: I think that's why.

[20] MEMBER SCOTT: The other thing is you may have
[21] new connections somewhere on the line that need 2500 gallons
[22] a minute and pretty soon either you've got a whole bunch of
[23] people trying to suck 2500 gallons a minute out of your main
[24] or you've got it in your main and you just supply it to
[25] whoever needs it rather than an end-user because what you've

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[1] got with a growing situation is other customers and there
[2] may be some.

[3] MEMBER FIRTH: Your fire pump only operates if
[4] you have a fire. How many other pumps do you have?

[5] MR. ZIMMERMAN: Three in addition.

[6] MEMBER FIRTH: Three you use all the time and
[7] then the standby fire pump?

[8] MR. ZIMMERMAN: Well, two we use for the current
[9] system and a backup.

[10] CHAIRMAN KRAMER: They are step-ups. One comes
[11] on. If it needs more, two come on. If it needs more, three
[12] come on. If it needs more, you've got a problem.

[13] MR. BELLIM: Yes.

[14] MEMBER FIRTH: I don't know where we go now
[15] because of this dispute.

[16] CHAIRMAN KRAMER: This bothers me more than
[17] anything else. It blindsided the hell out of the Board.

[18] MEMBER FIRTH: Regardless of that, we have a
[19] staff recommendation and then we have an analysis provided
[20] by the applicant that they think is proper and I don't know
[21] how we resolve that.

[22] CHAIRMAN KRAMER: Do you have any comment,
[23] Michelle?

[24] MS. STAMATES: I don't understand the
[25] construction total they came up to. I don't how they got

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[1] that number. I don't get that when I back out all the
[2] eligible costs.

[3] CHAIRMAN KRAMER: What is the difference between
[4] the two numbers?

[5] MEMBER SCOTT: About \$600,000.

[6] MR. MASSEY: It's actually less.

[7] MS. STAMATES: I got 5,595,561 in the
[8] construction total. I have to go back and look at this. I
[9] can't do this on the fly and be sure that I'm really looking
[10] at the right numbers. I don't know what they backed out of
[11] our construction total eligible costs and moved in the
[12] 1.462.

[13] CHAIRMAN KRAMER: Would it be advantageous for
[14] us to table this until after lunch and let them talk to you
[15] and bring it forward after lunch?

[16] MEMBER SCOTT: I don't think you can do that to
[17] Michelle. I think she's going to need to take a good look
[18] at it. I'm not adverse to a concept of the ability for her
[19] to be comfortable and coordinate something after the
[20] meeting, but I don't think you want to put her in the
[21] position of doing that.

[22] CHAIRMAN KRAMER: I agree.

[23] MEMBER SCOTT: My sense would be to consider
[24] something of the approval of the staff recommendation in
[25] some other process through which the staff and the applicant

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[1] and their representatives could work through the numbers so
[2] there's an understanding, and either leave that for a future
[3] Board meeting or if the Board's comfortable, leave it for
[4] the Chairman.

[5] **CHAIRMAN KRAMER:** I knew it. I saw it coming.

[6] **MS. BASHAM:** Can I make a comment?

[7] **CHAIRMAN KRAMER:** Go ahead, Adele.

[8] **MS. BASHAM:** I was in the meeting in May and I
[9] have to say this project has challenged everybody and I
[10] think what Churchill County is doing is a good thing to
[11] design a proper system and look to the future and design
[12] what you need for the future.

[13] What has challenged us is we really don't have a
[14] lot of background in looking at a project that mixes so
[15] completely new growth with what needs to be done for
[16] existing customers. So we really didn't have a whole lot of
[17] experience to draw on regarding the amount that the grant
[18] should pay for and all we really had was we did a similar
[19] thing in Sun Valley because their project did fund some
[20] growth, a lot of growth actually and the grant paid for part
[21] of it.

[22] What we had difficulty with is sort of what
[23] Stephanie was getting at with the \$25,000 Cadillac when you
[24] need a \$10,000 car and how do we look at that. What do they
[25] really need in this whole operations center versus — we

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[1] don't disagree that what they're proposing is what should be
[2] done, but what is a fair amount for the grant to pay for
[3] because the county is getting water they will have the
[4] potential of generating a lot of new customers with which is
[5] a good thing because they're more paying into the rate base
[6] but what's the purpose of this grant program?

[7] Is the purpose of the grant program — you know,
[8] most of the projects that we pay for are projects to repair
[9] broken things. So the reason that we use the approach we
[10] did because we did talk in general terms in the May meeting
[11] about different approaches, and this concept that you have
[12] economies of scale and we just couldn't reconcile in our
[13] minds whether that was a fair argument for grant funds to be
[14] used —

[15] **CHAIRMAN KRAMER:** You mean the funding of new
[16] growth?

[17] **MS. BASHAM:** Yes, and the county's going to get
[18] a real nice water system. They're going to get more than
[19] just fixing something broken. To us the ratio thing was
[20] simple and it made sense enough when we proposed it and we
[21] have used it before at Sun Valley.

[22] **MEMBER SCOTT:** From a philosophical standpoint
[23] it seems to me that in part our function is to help bring
[24] better water quality to people in the state. That does get
[25] mixed around, but the message I want to get to Churchill

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[1] County is get these disadvantaged systems and put them in a
[2] larger system because that's really in my mind the
[3] underlying philosophy of let's bring better water quality to
[4] people in our state. Some of it is new growth and some of
[5] it is old growth.

[6] Look at what Lyon County and Douglas County have
[7] gone through, we have a balance there but my sense is
[8] there's an underlying value to erring on the side of the
[9] benefit of the doubt so to speak which is easy for me to say
[10] and a little hard to translate at the staff level, but I
[11] think and I'm inclined to say let's look at this in a
[12] broader way as we go through these issues because I think
[13] the benefit of better water quality to folks is what we're
[14] all about.

[15] We can look rigidly at growth versus existing,
[16] but on the other hand, I'm saying to Churchill County I
[17] think the idea of you guys getting these mobile home parks,
[18] one had like 100 or 80 parties per billion arsenic, geez,
[19] that's what we're about. Somehow we've got to try to
[20] integrate those things if we can.

[21] Philosophically I'd like to see us try to find a
[22] way through this because I think this is underlying part of
[23] what I envision as our goal and separating out growth, I
[24] don't have a problem with that, but I do think my sense is
[25] the underlying goal is let's find a way to try to make this

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[1] work in terms of — Churchill County can deal with growth,
[2] that's their job, but we can try to help in some of these
[3] areas where we have gray areas.

[4] I'd just as soon err a little bit on the side of
[5] getting people in the fold and getting them better water
[6] quality.

[7] **MEMBER ZIMMERMAN:** This is really for an
[8] increase because of additional costs rather than a new grant
[9] and we did provide a grant already. So we have supported
[10] the system with a good deal of money to date.

[11] **MS. McDERMOTT:** If I can say something? You'll
[12] have to keep in mind that any funds you give out, the
[13] program has to be auditable by the State, so they will look
[14] at how we came up with specific numbers and they'll go
[15] through a whole grant and we have to be able to explain it.

[16] So that's one of the things we were looking at
[17] when we did our numbers. We had done one project that way
[18] so if we keep it consistent, then we don't have auditors
[19] saying why did you do it this way. We can work with
[20] everyone, we just have to be able to explain it to an
[21] auditor. It has to be documented.

[22] **MEMBER FIRTH:** Do you have a connection fee for
[23] new customers? What is it?

[24] **MR. MASSEY:** Commercial is now 8500, for a
[25] residential equivalent so commercial may use, however we

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[1] calculate, they may have three residential equivalents and
[2] the residential would be 5500 subject to upward revision and
[3] I've been very reluctant to —

[4] **MEMBER FIRTH:** Isn't that intended to be used
[5] for some of this growth that's built in here?

[6] **MR. MASSEY:** Certainly.

[7] **MEMBER FIRTH:** Has that been factored in here
[8] somehow or other? The difference between 351 and 1100 is
[9] some type of growth, either a small increment of these
[10] systems they're picking up or just flat new growth. We're
[11] trying to determine here how much if any of the grant money
[12] is to cover for new growth.

[13] It would seem if we decided a certain amount
[14] goes to new growth you should subtract from that whatever
[15] your connection fee is going to generate.

[16] **MEMBER SCOTT:** I don't think we're saying we
[17] should put any grant money to new growth. I'm just saying,
[18] for example, if you have — when I look at this, if the cost
[19] of a building for 351 is one thing and the cost of a
[20] building for 1100 is something else, that maybe it doesn't
[21] have to be just a straight ratio, but I'm not suggesting we
[22] fund new growth.

[23] I'm just suggesting we don't send a negative
[24] message that says you're going to get punished if you take
[25] on these systems that need to be taken on.

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[1] **MEMBER FIRTH:** And I agree and I agree with what
[2] the engineers have said. It's not a one-to-one ratio, a
[3] building for 351 and a building for 1100. There's all sorts
[4] of different components that go into that calculation but
[5] you do have a fund through connection fees for some of this.
[6] I guess if there's no funding from us or USDA or anybody
[7] else for new growth, then that has to be paid for through
[8] connection fees or rates and I don't think you're going to
[9] want to make existing customers pay for growth. So I don't
[10] know where we are, to be honest with you.

[11] **MEMBER ZIMMERMAN:** Is your 2.3 million
[12] contingent upon anything in that loan? Are there any
[13] conditions or have you already received the 2.3 million?

[14] **MR. MASSEY:** Yes, we have our financing in place
[15] with us today. USDA.

[16] **MEMBER SCOTT:** Let me ask you this. I don't
[17] know that it's fair, but would you rather have us act on the
[18] grant application the way staff has recommended or would you
[19] rather bring the whole thing back in terms of looking at a
[20] more detail digestion of what you gave us today knowing
[21] we're open to reconsideration of that after people have had
[22] a chance to work with it?

[23] **MR. MASSEY:** I looked your original
[24] recommendation. We acted on what the staff had recommended
[25] and then we worked with Michelle to come to closure on the

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[1] Sand Creek operations center.

[2] **CHAIRMAN KRAMER:** At another meeting?

[3] **MR. MASSEY:** Yes, or with your approval. Maybe
[4] if we can't work it out in that manner we bring just that
[5] issue back.

[6] **CHAIRMAN KRAMER:** Do I perceive you saying that
[7] if or are you saying we subtract out the operations center
[8] and approve everything but the operations center?

[9] **MEMBER SCOTT:** No, just approve the staff
[10] recommendation.

[11] **MR. MASSEY:** Right, and then the difference we'd
[12] work out and that way it focuses on one little issue.

[13] **MEMBER SCOTT:** That's fine because we don't want
[14] to revisit anything else.

[15] **CHAIRMAN KRAMER:** Since the county manager has
[16] probably gone stark raving mad out there in the hall already
[17] knowing him as I know him, are we ready for a motion here?

[18] **MEMBER SCOTT:** Before the motion, let me ask the
[19] Board Members, is there a preference about having it come
[20] back as a Board item or leaving the option open if there's a
[21] comfort level at the staff and Chairman's level, allowing
[22] some provision where that could be handled between meetings
[23] or separately?

[24] It may be that we can't do that and maybe that's
[25] a question for Nhu.

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[1] **MS. HUYEN:** Because the difference is so large
[2] I would recommend that it come before the Board again.

[3] **CHAIRMAN KRAMER:** Thank you.

[4] **MEMBER FIRTH:** It could come back in November.

[5] **MEMBER SCOTT:** I make a motion that we approve a
[6] resolution designated the 08-06-E4a, Churchill County water
[7] distribution system improvements pertaining to the
[8] determination by the Board for Financing Water Projects of
[9] the state of Nevada to provide a grant for the purpose of
[10] financing certain projects, making certain findings of fact
[11] and providing other details in connection therewith, subject
[12] to the conditions of the staff report and with the specific
[13] provision that the applicant and staff work to resolve the
[14] issue of the difference in the operations center, and that
[15] that be brought back to the Board for potential additional
[16] funding in the future.

[17] **MEMBER FIRTH:** I'll second it. I just want to
[18] clarify, so the additional increase is the 878,000; is that
[19] right, Michelle?

[20] **MS. STAMATES:** Yes. He didn't state the amount.

[21] **MEMBER SCOTT:** I did not state the total grant.
[22] I should have, I just didn't have it in front of me.

[23] **MEMBER FIRTH:** 878,105.58, I believe.

[24] **MS. STAMATES:** Just look at the total new grant
[25] amount in the resolution.

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[1] **MEMBER SCOTT:** The eligible cost would be

[2] \$5,885,674.40.

[3] **MEMBER ZIMMERMAN:** You might add to your
[4] conditions, Michelle, when it's a change in scope or
[5] increase in the grant amount, that that policy that we put
[6] in place for requests for changes as part of your
[7] conditions, just for grantees that come and ask for those
[8] types of changes.

[9] **MS. STAMATES:** I think they followed your policy
[10] for this kind of change, though.

[11] **MEMBER ZIMMERMAN:** Well, the water rate issue is
[12] not discussed. I know it's going in, but at this point it's
[13] not in there.

[14] **MS. STAMATES:** I'll add that in the future.

[15] **CHAIRMAN KRAMER:** We have a motion and a second.
[16] Are there any —

[17] **CHAIRMAN KRAMER:** Is there any further comment
[18] by the Board, by the applicant or the public? Hearing none,
[19] we'll call for the question. All those in favor signify by
[20] saying aye.

[21] **MEMBER FIRTH:** Aye.

[22] **MEMBER SCOTT:** Aye.

[23] **CHAIRMAN KRAMER:** Aye. Opposed?

[24] **MEMBER ZIMMERMAN:** Opposed.

[25] **CHAIRMAN KRAMER:** Therefore, the motion passes,

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[1] I believe.

[2] **MEMBER SCOTT:** Mr. Chairman, what do you think
[3] as a general philosophy if we shoot to complete the morning
[4] agenda items before we go to lunch? We have an hour and a
[5] half scheduled for lunch and that way we could let people
[6] who are here leave before lunch.

[7] **CHAIRMAN KRAMER:** Let's take a five-minute
[8] break.

[9] (A short recess was taken.)

[10] **CHAIRMAN KRAMER:** We're going to move along and
[11] go to 4-B, Kingsbury GID. Michelle.

[12] **MS. STAMATES:** Kingsbury General Improvement
[13] District has come back for a grant increase and a change in
[14] scope request. I'll give you a very brief background. The
[15] Division ranked this project as a class III water project
[16] intended to address deteriorated, substandard or inadequate
[17] conditions in a public water system.

[18] In June 2002 the Board awarded a grant of
[19] \$5,099,853. This is 61.9 percent of eligible project costs.
[20] This is for phase 1 of the multi-phased project, phase 1
[21] only. Staff had asked KGID to break down the total project
[22] into phases, phase 1 being the highest priority in terms of
[23] health and safety, reliable and economics.

[24] Phase 1 project included the replacement of
[25] water lines and transmission lines, construction of a new

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[1] storage tank and a PRV station and the installation of 383
[2] water meters. Note at that point in time the total project,
[3] total project was estimated to be about \$24 million.

[4] From 2003 to 2005 water line replacement
[5] projects. Phases 1A, 1B, and 1C, were completed for a total
[6] of approximately \$4.8 million. That was approximately three
[7] million in grant funds. A scaled-back water line
[8] replacement project, phase 1D, is currently underway up at
[9] Kingsbury.

[10] The total of the grant funds committed for this
[11] project through 2006 is \$4,540,138. This leaves
[12] approximately \$559,715 remaining on the grant after this is
[13] complete.

[14] The line replacement completed to date resulted
[15] in significant reductions in leaks in the system. KGID and
[16] its engineer estimate it will cost approximately 7.3 million
[17] to complete the remaining phase 1 grant funded projects.

[18] Engineering, geotechnical and survey and
[19] inspection costs for the complete phase 1 project are now
[20] estimated to be 52 to 100 percent higher than the PER
[21] estimate.

[22] **CHAIRMAN KRAMER:** What was that?

[23] **MS. STAMATES:** 52 to 100 percent these various
[24] elements have gone up, some as much as 100 percent since the
[25] PER. The first project was initially for over a three-year

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[1] period and are now scheduled for five separate construction
[2] projects over five years from 2003 to 2007. Increases in
[3] engineering, geotechnical work and survey work and
[4] inspection costs are all related to the phasing of the work
[5] over five years.

[6] It's also related to difficulties requiring
[7] realignment, unanticipated permitting requirements and
[8] approximately 15 unanticipated easements. Each project has
[9] its own permitting, bidding, inspection and construction
[10] management. This has increased both engineering and
[11] construction costs where it became necessary for the
[12] following reasons.

[13] Number one, design has been complicated by the
[14] district's many pressure zones and often confusing piping.

[15] Two, permitting restrictions of both the Tahoe
[16] Regional Planning Agency and the Nevada Department of
[17] Transportation have limited alignment options and made
[18] delays while new options are explored.

[19] Three, KGID does not have complete maps of its
[20] water system and the district's small staff has been capable
[21] of providing design and construction support in addition to
[22] carrying out its regular day-to-day responsibilities.

[23] Four, phase 1 required unexpected easements and
[24] utility agreements before permitting and construction could
[25] proceed.

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[1] Five, construction costs in 2005 were 40 percent
[2] higher than in 2004 and the cost of construction in 2006 is
[3] on average 30 percent higher than in 2005.

[4] Six, unrealistic preliminary engineer report
[5] cost estimates for the zone 2 transmission main and tank 10B
[6] have really escalated the costs of this project.

[7] At this point there are several outstanding
[8] project elements. I'm going to give you the project element
[9] number as you see in your summary. It's project 2000-11,
[10] the storage tank, 10-B, project 2000-21, replacement of
[11] water lines on Bigler Court, project 2000-24, installation
[12] of water lines in the Palady-Perkins and Granite Springs
[13] area, project 2000-28, the zone 2 transmission main
[14] replacement, project 2000-38, replacement of water lines on
[15] Logging Road and Laurel Lane, and project 2000-31, zone 10
[16] transmission main replacement.

[17] I've summarized those in your Board books so you
[18] can see what those are, but these are still the remaining
[19] items on phase 1 that are not completed.

[20] Per Board policy the expected water rate on an
[21] MHI of \$43,176 is \$53.97 per month. Since grant approval
[22] KGID has increased its water rates 20 percent to \$54 for
[23] flat rate residential customers and to \$4.69 per 1,000
[24] gallons for metered customers in accordance with the policy.
[25] Further increases are planned over the next several years.

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[1] KGID currently has an SRF loan that provides
[2] funds for the portion of the water capital project that is
[3] not grant funded. KGID has created a capital replacement
[4] account in their water fund to hold restricted funds in
[5] accordance with the Board's policy. They began contributing
[6] to this fund one year after each the individual projects for
[7] phase 1 was completed.

[8] This shows up in the KGID audited financial
[9] statements as an allocation for restricted depreciation.
[10] Failure to obtain the requested grant would require KGID to
[11] fund the project itself or through an SRF loan if available
[12] and would likely mean that only the most critical components
[13] would be completed. Those are specifically the zone 2
[14] transmission main and tank 10B or B, whatever they're able
[15] to do.

[16] Every \$1 million of additional fund loan would
[17] mean an annual debt service cost to the district of \$86,019.
[18] This is assuming an interest rate of 3.19 percent and would
[19] result in water rate increases of \$1.50 per month.

[20] Staff reviewed KGID's request and recommends
[21] that the additional grant funding for the phase 1 water
[22] system improvements be approved based on the grant scale of
[23] 69.9 percent for a two-year grant subject to the original
[24] conditions of the grant. The total grant amount should not
[25] exceed \$9,505,311.39. This is an increase in the original

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[1] grant amount of \$4,405,458.28.

[2] You have a description of the items that are
[3] completed and those that are not yet. They've been unable
[4] to get lower quotes to date in that area, and I find no
[5] reason why these elements aren't still made necessary for
[6] safe drinking water.

[7] **CHAIRMAN KRAMER:** Questions of staff before we
[8] ask the applicants to come up?

[9] **MEMBER SCOTT:** Mr. Chairman, I need to make a
[10] statement. I've recused myself from prior KGID action
[11] because of work we have been doing with them not related to
[12] the water system but erosion control.

[13] I've spoken with Nhu. Although the work is
[14] coming to an end, I think the best situation for me is to
[15] recuse myself from this discussion, simply reminding the
[16] Board that I'd really like to see meters in place and I will
[17] leave for a while and I'll come to the back of the room
[18] probably later on. I don't think I need to get quite as far
[19] out as Brad did.

[20] **CHAIRMAN KRAMER:** Not you too?

[21] **MEMBER GOETSCH:** I'm not going to recuse myself.
[22] I've got some questions. These are questions of our staff.
[23] Was the \$54 rate analyzed and how does that fall in our
[24] appropriate high and low?

[25] **MS. STAMATES:** It does meet the 1.5 percent of

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[1] the MHI.

[2] **MEMBER GOETSCH:** It was on the low end.

[3] **MS. STAMATES:** It meets it. There's no low or
[4] high end.

[5] **MEMBER GOETSCH:** Isn't there new construction on
[6] this system? Are there fees for the new construction and
[7] things going on in this system that contribute to funding
[8] the improvements and all? Maybe we have to ask the owner
[9] for that.

[10] **MS. STAMATES:** These are replacing existing
[11] lines.

[12] **MEMBER GOETSCH:** No new customers?

[13] **MS. STAMATES:** I'm not aware of new customers.
[14] These are lines that are in the road right now that they are
[15] replacing. There are some alignment changes and they're
[16] going along existing housing developments with houses there.
[17] I rode them with Candi the other day.

[18] **MEMBER GOETSCH:** Are there proposals for
[19] metering in the future?

[20] **MS. STAMATES:** This phase includes meters for
[21] the existing line. Future phases will meter those other
[22] lines. There are more phases to this project than just
[23] this.

[24] **MEMBER GOETSCH:** The same construction and cost
[25] increases that affect this project are very similar to the

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[1] same as all the other proposals for increases that we've
[2] seen?
[3] **MS. STAMATES:** The proposals have been very
[4] similar in about the 20 to 30 percent range. I think
[5] Kingsbury is seeing somewhat larger increases due to their
[6] location. They got a relatively limited number of bids.
[7] They're under an awful lot of restrictions from the TRPA.
[8] They are required to work at night, they're required to patch
[9] the road the minute they get the piece of line in.
[10] There are a lot of requirements of them that a
[11] lot of the construction groups don't appear to want to bid
[12] on. They don't want to deal with the regulations, so I
[13] think some of their costs are indeed higher.
[14] **CHAIRMAN KRAMER:** Can we have the applicants
[15] come up, please?
[16] **MEMBER ZIMMERMAN:** In your recommendation you
[17] mention the two-year grant but the total amount. In the
[18] documentation it indicates it will take about five years to
[19] complete all of these.
[20] **MS. STAMATES:** The total for this phase was five
[21] years. They'll finish these last elements in the next two
[22] years and this grant should not now run beyond the two
[23] years.
[24] **MEMBER ZIMMERMAN:** So phase 1 will be complete
[25] within two years and then the five years is all phases?

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[1] **MS. STAMATES:** No, no, the five years was for
[2] phase 1. That's how the original grant was written.
[3] **MEMBER ZIMMERMAN:** What am I missing? It says
[4] phase 1 is scheduled for design in three years. It is now
[5] scheduled as five separate construction projects over five
[6] years?
[7] **MS. STAMATES:** Their grant was given in 2002 and
[8] five years would end it in 2007. I'm recommending that it
[9] go for two more years and from what the applicants said they
[10] could finish in 2008. You can correct me if I'm wrong, but
[11] that's what I was led to believe.
[12] **CHAIRMAN KRAMER:** Welcome. Could you give us
[13] your names for the record?
[14] **MR. BEATTY:** My name is Jim Beatty. I'm a
[15] trustee of KGID, 27 years in the area and 14 years on this
[16] Board trying to make it better, the water system.
[17] **MS. ROHR:** Candi Rohr and I'm general manager of
[18] the Kingsbury GID.
[19] **MS. HUEFTLE:** Angie Hueftle with Amec
[20] Infrastructure.
[21] **CHAIRMAN KRAMER:** Board, do you have questions
[22] about this grant?
[23] **MEMBER FIRTH:** I'm not sure I read your
[24] engineering report right or not but it appears that you're
[25] replacing asbestos cement pipe and that has an expected life

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[1] of 75 years. Why are you replacing asbestos cement pipe?
[2] **MS. ROHR:** Actually we are not. The original
[3] PER provided for us to replace that pipe but instead working
[4] with Michelle we actually changed the scope of that project
[5] because that section of pipe was not leaking.
[6] We had steel pipe crossing the highway
[7] connecting to the asbestos cement and that has been
[8] replaced. So we actually supplement other leaking pipe for
[9] the asbestos cement which actually had additional carrying
[10] capacity as well.
[11] **MEMBER FIRTH:** So that hasn't changed the
[12] estimated costs then, you just replaced other pipe rather
[13] than the AC pipe?
[14] **MS. ROHR:** Correct.
[15] **MEMBER FIRTH:** One other one, I may have some
[16] more later, but what do you do in the wintertime? You don't
[17] read meters in the wintertime, do you?
[18] **MS. ROHR:** Yes, we do.
[19] **MEMBER FIRTH:** How do you read them with three
[20] feet of snow?
[21] **MS. ROHR:** We have touch meters in most
[22] locations is what we've gone to and during the final year of
[23] this project we're going to be putting in a radio read
[24] system so we will be able to do drive-by reads. We don't
[25] have that in place yet but that will be part of this

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[1] project.
[2] **MEMBER FIRTH:** Thank you.
[3] **CHAIRMAN KRAMER:** Further questions?
[4] **MEMBER ZIMMERMAN:** As part of the funding
[5] sources for this project, I see that you have an additional
[6] two million that you'll be getting from the SRF loan?
[7] **MS. ROHR:** We haven't applied for it yet but it
[8] that is our goal, yes.
[9] **MEMBER ZIMMERMAN:** Is that all you need?
[10] **MS. ROHR:** Yes.
[11] **MEMBER ZIMMERMAN:** That would complete your
[12] funding sources, the original SRF loan and the additional
[13] two million and what you're getting from this program?
[14] **MS. ROHR:** Correct.
[15] **CHAIRMAN KRAMER:** So you're applying for the
[16] grant money first to see how much you might have to apply
[17] for in the SRF fund?
[18] **MS. ROHR:** Correct.
[19] **MEMBER ZIMMERMAN:** This is a lot of money.
[20] **MS. ROHR:** We are not happy to have to come back
[21] to you with a request this size. We are struggling with
[22] this project. Our neighborhood lines that we are replacing,
[23] they were done earlier in the project and they came in
[24] within the PER prices, but when we got into the highway we
[25] really started struggling with costs being a lot higher and

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[1] the conditions being more stringent by the agencies and just
[2] running into a lot of unknowns with our own water systems
[3] and with other utilities as well.

[4] **MR. BEATTY:** Also we ran into problems on rights
[5] of way. When we wanted to go under the highway going into
[6] private areas, we were refused by one area which put in
[7] incredible wanders and bends and the costs go up.

[8] **CHAIRMAN KRAMER:** I wouldn't work on a
[9] construction crew working on those highways myself. Why not
[10] find out from taking the total amount of dollars, for a
[11] phase, why not find out from the SRF people what they're
[12] going to give you first before you come and ask us for a
[13] grant? Because normally our policy is we're the court of
[14] last resort. If you don't know what the SRF fund is going
[15] to give you, seems like maybe the cart is before the horse.

[16] **MS. ROHR:** Actually that's based on our current
[17] rates and the projected increases that are going to be
[18] required over the next few years and into the future. We
[19] are just now starting to pay back the principal on our
[20] existing SRF loan and our rates are currently at the 1.5
[21] percent of median household income and they're going to be
[22] increasing from \$54 which is our current flat rate for
[23] residences to the high 50s within the next couple of years
[24] just to provide for that additional debt service cost.

[25] And then projected also on the additional \$2

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[1] million of loan funds that we will need to match the
[2] additional grant, that's going to increase our rates
[3] further. So based upon — for us it's an affordability
[4] issue and that's why we came back to you. We were already
[5] at the Board required level of 1.5 percent of median
[6] household income.

[7] **MEMBER ZIMMERMAN:** This is basically an old
[8] system?

[9] **MS. ROHR:** It was a private water system that
[10] probably came before you that we purchased so we don't have
[11] really good records. They weren't — the system wasn't
[12] installed with proper construction techniques in a lot of
[13] areas.

[14] **MEMBER ZIMMERMAN:** It seems like you solved a
[15] lot of the leakage problems.

[16] **MS. ROHR:** Yes, we're really pleased with that.

[17] **CHAIRMAN KRAMER:** Going back to our policy, what
[18] does our policy manual say concerning requesting from all
[19] other sources before us?

[20] **MEMBER ZIMMERMAN:** We're supposed to be last
[21] resort.

[22] **CHAIRMAN KRAMER:** This is not sounding like a
[23] last resort to me.

[24] **MEMBER ZIMMERMAN:** I know they're raising their
[25] rates but I think they could squeeze a little bit more out

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[1] particularly with their tax rate, ad valorem tax rate.

[2] **MS. ROHR:** \$3.55 per 100 is our ad valorem tax
[3] rate.

[4] **MEMBER ZIMMERMAN:** That blows that right out of
[5] the water. It's 3.55 per 100 of assessed value. The
[6] maximum is 3.64.

[7] **MEMBER GOETSCH:** That's the part I still
[8] struggle with, extremely large amount in the water payments
[9] currently at the — just making the grade a proposal or even
[10] here they're going to go up still to the high 50s, but when
[11] I compare that to other water systems in place we've seen
[12] with lower median income that had higher water payments, one
[13] of which we heard from this morning.

[14] I get that same kind of uneasy feeling for this
[15] much money for a system to serve a group that doesn't seem
[16] to have worked through all the other options or funding
[17] mechanisms that we've seen other systems bring to bear.
[18] This is just a hard one to deal with. It's a very high
[19] cost.

[20] **MS. ROHR:** Well, we obviously looked to you for
[21] guidance as to what you thought was appropriate for our
[22] district and we used the 1.5 percent of the household income
[23] as determining that this was a possible grant eligible
[24] project.

[25] **CHAIRMAN KRAMER:** When was the median household

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[1] income done?

[2] **MS. ROHR:** 2002.

[3] **MEMBER GOETSCH:** Michelle, do we have any more
[4] recent information than that on median household income than
[5] 2002?

[6] **MS. STAMATES:** They had an income survey done
[7] and that's based on a certified, approved, agreed to income
[8] survey.

[9] **MEMBER GOETSCH:** Right, four years ago.

[10] **MS. STAMATES:** We don't have better census data
[11] for anybody. Basically everybody is going on approved
[12] income surveys or the 2000 census.

[13] **CHAIRMAN KRAMER:** I'm bringing up the point
[14] because there is another applicant that will be heard by
[15] this Board at sometime in which, and I'm basing this on the
[16] fact of the location, location, location, location, that the
[17] median household income in this area in my mind seems to
[18] explode or get higher faster than just normally because of
[19] where the people live. They live up in the mountains in a
[20] pristine area.

[21] I'm just wondering whether the median household
[22] income, it's been done that long ago, I would bet that it's
[23] increased quite a bit.

[24] **MR. BEATTY:** Might I address that? The
[25] configuration of our area is such that we were not able to

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[1] take a census area and say, aha, here is the median income
[2] which is why we paid to get a figure. Although we are in a
[3] pristine mountain area the great majority of the people are
[4] not well off.

[5] The highest percentage of the population are
[6] casino workers and those people, except for supervision and
[7] up, are not well paid. They are minimum wage plus tips. I
[8] don't doubt at all that the median has gone up, it's gone up
[9] everywhere, but I don't think if we ran another one today
[10] you would find a significant increase, more than the cost of
[11] living, and if it would be useful to do that in aid of
[12] getting this approved, we would be glad to do that.

[13] **CHAIRMAN KRAMER:** I think it would be something
[14] that would probably need to be done as we continue down the
[15] road continuing this project, if we do, for all the
[16] different phases. It would sure make it a lot easier for us
[17] to understand, because this is not the only time that you're
[18] going to be back before us I'm sure because of the phases
[19] here, but I say that as it has to do with the current rates,
[20] where the current rates are.

[21] **MR. BEATTY:** There's another aspect to this
[22] which may or may not be useful to your opinion on this. I
[23] started working on a 20-year plan for improving the water
[24] distribution system and there were massive problems, many of
[25] which have been fixed, but there's a whole lot more to deal

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[1] with.

[2] Along with that we do sewer, roads and snow
[3] removal. We're locked into one snow removal contractor
[4] because there's only one place in the whole area that we can
[5] legally put snow removal equipment. We're going to have to
[6] put in the vicinity of four to \$7 million into that property
[7] so that we can get better service on the snow removal.

[8] We've had major increases in sewer costs from
[9] the district that handles our sewer, so when we look at this
[10] from the standpoint of the customer we're quite concerned
[11] because we're up over \$100 a month now with the combined
[12] rate and we know that in addition to these water problems
[13] with our operations and community sewer costs, this is just
[14] one person's opinion, we're going to be at \$150 a month in
[15] three years and of course this causes substantial difficulty
[16] for the working people in our area.

[17] That's part of the reason we come here hoping to
[18] get this. It's not a lot, but it helps.

[19] **MR. WALSACK:** Mr. Chairman, in my past life I
[20] was the project manager of their income survey. I think it
[21] would surprise you how the income surveys in the State are
[22] changing from year to year and it is now not the flavor of
[23] the lending agencies and the funding agencies to go against
[24] the United States Census.

[25] So our next census is scheduled for 2010. The

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[1] numbers from the 2000 census were not representative of
[2] Kingsbury and that's why we did their income survey, walked
[3] the streets, took the numbers. Between then and now you may
[4] see a small increase, but it would surprise you how little
[5] the median is going to change in that area.

[6] If you're requesting another income survey I'm
[7] sure the State would be interested in a discussion.

[8] **MEMBER FIRTH:** Is there a 10A and a 10B tank or
[9] just a 10A?

[10] **MS. ROHR:** There's a 10A which has structural
[11] issues. We had proposed adding a 10B tank on an easement
[12] which would allow us to have taken 10A off line.

[13] **MEMBER FIRTH:** 10B is proposed to be a
[14] replacement for 10A?

[15] **MS. ROHR:** Correct.

[16] **MEMBER FIRTH:** There's a huge difference here in
[17] that item from the original estimates, from one million to
[18] three million. And I assume up there because of the tree
[19] cover and all of that you have fairly high fire flow
[20] requirements. What is it per residence gallons per minute?

[21] **MS. ROHR:** I don't know.

[22] **MEMBER FIRTH:** Typically like in Reno or here
[23] it's 1,000 gallons per minute.

[24] **MS. HAFFLEY:** It is 1500.

[25] **MEMBER FIRTH:** I would think it would be higher

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[1] up there.

[2] **MR. BEATTY:** The fire people are very concerned
[3] about it.

[4] **MEMBER FIRTH:** The new 10B would be able to
[5] handle the 1500 fire flow?

[6] **MS. STAMATES:** It's a replacement for 10A, it's
[7] not a new tank. Now they're going to replace 10A. It will
[8] just be new 10A. They actually do need backup storage up
[9] there.

[10] **MEMBER GOETSCH:** Staying with that one, this is
[11] phase 1 of how many phases?

[12] **MS. ROHR:** Four or five.

[13] **MS. STAMATES:** It's a number of phases and this
[14] is just phase 1.

[15] **MEMBER GOETSCH:** Are they comparable phases or
[16] could we have that —

[17] **MS. ROHR:** They are all part of the PER which
[18] was submitted to this Board when we requested funding for
[19] phase 1.

[20] **MEMBER GOETSCH:** Can we go back to that number,
[21] Michelle?

[22] **MS. BASHAM:** It was 25 million.

[23] **MS. ROHR:** 24 million.

[24] **MEMBER GOETSCH:** That was that original PER
[25] figure, so the increases applied to phase 1 are going to be

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[1] amplified for all the other phases.

[2] **CHAIRMAN KRAMER:** Oh, yeah.

[3] **MEMBER GOETSCH:** So we're talking about 30 to
[4] 40, in one case it was a 100 percent plus increase. What's
[5] the ball park?

[6] **MS. STAMATES:** One of the things that appears a
[7] little bit odd, they ended up having to change the way
[8] they're running the project. Instead of running a lot of it
[9] at once, consolidating, they're doing them one at a time
[10] which everything costs more by doing it that way. That
[11] wasn't the original plan.

[12] **MEMBER GOETSCH:** That's what I'm getting at.
[13] Are we looking at the potential for a 30 to \$50 million
[14] project here that this Board is going to be asked to fund?

[15] **MS. STAMATES:** I'll sure they'll come and ask
[16] you, yes. I don't know what the number is, but no doubt
[17] they'll ask unless you make a statement otherwise.

[18] **MEMBER FIRTH:** Your rates are going to be
[19] enormous for a \$40 million project.

[20] **MS. ROHR:** And we're only funded for 61.9
[21] percent so we are carrying a lot of the burden also even
[22] though we're very grateful for the loan that we have.

[23] **MEMBER ZIMMERMAN:** Can we talk about, there's
[24] two components of the total project costs that make up the
[25] most dollars for the increase and it says zone 2

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[1] transmission line and the storage tank 10B. I see that the
[2] storage tank costs are made necessary by the regulations.

[3] **MS. STAMATES:** Zone 10 only has that tank right
[4] now and I believe there's about 1,000 residents up there and
[5] they have no other way to get water up there. The tank has
[6] been declared structurally unsound by others, not just Safe
[7] Drinking Water which also has great concerns about that
[8] tank.

[9] **MEMBER ZIMMERMAN:** How about the zone 2
[10] transmission line? How does that fit into the compliance
[11] aspect?

[12] **MS. STAMATES:** Everything in their project is
[13] made necessary by the regulations either for the flow
[14] requirements — in this case they've got a water
[15] conservation issue as well which addresses our regulations.

[16] Those two are both elements in there. It's not just all
[17] Safe Drinking Water. Some of it is water conservation
[18] because they're having tremendous problems with leaks.

[19] **MEMBER ZIMMERMAN:** The zone 2 transmission
[20] sounds like the main line.

[21] **MS. ROHR:** It runs from our lake intake to our
[22] first set of water tanks and it's actually going to be
[23] two-thirds completed by the end of this summer, maybe half
[24] completed by the end of the summer. We have been working on
[25] it for two years.

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[1] **MEMBER ZIMMERMAN:** As far as these other phases,

[2] Michelle, I was reading in here where this phase 1 is really
[3] the phase that has the compliance issues where the other
[4] phases are not necessarily related to compliance.

[5] **MS. STAMATES:** I can't address those at this
[6] meeting. I could look it up for you but I can't speak to it
[7] clearly right now. This meeting is addressing the most
[8] imminent, the most necessary items they identified for the
[9] staff and Board back in 2002 as a phase 1 project.

[10] **MEMBER ZIMMERMAN:** Do you have any idea, Dana,
[11] what the additional phases consist of?

[12] **MR. PENNINGTON:** I think the additional phases
[13] would be line replacement unless there is a better condition
[14] than phase 1, but ultimately are leaking and causing the
[15] system issues.

[16] **MS. ROHR:** There's a fire flow component of some
[17] of those later phases as well.

[18] **MEMBER ZIMMERMAN:** I'm trying to get an idea of
[19] what you will be looking for in the future. Is it phase 1
[20] only really that qualifies and it sounds like we're not sure
[21] at this point the dollars that might qualify or even if
[22] additional phases qualify?

[23] **MS. ROHR:** We do have additional substandard
[24] lines in our system in subsequent phases but these were
[25] clearly our most critical needs.

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[1] **MR. PENNINGTON:** You may be upgrading the size
[2] of the line.

[3] **MS. ROHR:** For fire flow, yes, but also we still
[4] have some lines that are leaking or are too shallow and have
[5] the propensity to freeze in the winter.

[6] **MR. BEATTY:** The original system was constructed
[7] after World War II but with surplus World War II steel pipe
[8] which as you can imagine was not high grade steel, it was
[9] war production and you just never know. There's frequent
[10] leakage in it, although what we have done so far has made a
[11] significant reduction in the number of leaks per year and
[12] the total gallonage flow for the system which is good for
[13] many reasons, water conservation, overall cost of the
[14] system, et cetera.

[15] **CHAIRMAN KRAMER:** Charlie.

[16] **MR. LAWSON:** My name Charlie Lawson. I would
[17] back up what this gentleman said because I was there when
[18] the lines were built and I know exactly what went in the
[19] ground in Kingsbury.

[20] **CHAIRMAN KRAMER:** Were you the contractor?

[21] **MR. LAWSON:** No. No, I was 19 years old. I was
[22] not the contractor.

[23] **CHAIRMAN KRAMER:** Further discussion? I think a
[24] statement from the Chair is one of the issues that the Board
[25] wrestles with and the applicants wrestle with is the cost of

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[1] the price increases much less the total project, but when
[2] you look at the price of plastic, you look at the price of
[3] steel, it's mind-boggling what's been going on.
[4] I had called Western Nevada Supply and talked to
[5] a couple former colleagues that used to supply information
[6] to me when I was Public Works Director for the city of
[7] Fernley to get prices on certain things, and they said what
[8] day of the week do you want the price on because it changes
[9] so drastically and that perplexes this Board and perplexes
[10] any applicant that comes before us. Projects can go sky
[11] high.

[12] **MS. ROHR:** Mr. Chairman, may I make a statement?

[13] **CHAIRMAN KRAMER:** Sure.

[14] **MS. ROHR:** Most of this project is already
[15] designed. When we had the tremendous price increases in
[16] 2005 we actually scaled the project back. We thought that
[17] perhaps because of the heavy snows, construction projects
[18] here didn't get completed in time and contractors weren't
[19] available. So we scaled it back thinking maybe the prices
[20] would come down the subsequent year.

[21] That did not occur. In fact, they increased
[22] further and this year we bid out the project and got one
[23] bidder at, was it 150 percent of your engineer's estimate?

[24] **MS. HUEFTLE:** It was 40 percent higher.

[25] **MS. ROHR:** We did not award that contract

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[1] because we did not feel it was a competitive bid. We again
[2] scaled back the project and then did get four or five
[3] bidders this year, but still the price was 30 percent higher
[4] than last year.

[5] **MEMBER ZIMMERMAN:** And you're driven by weather.

[6] **MS. ROHR:** Yes, we have a very short
[7] construction season, we have a lot of granite rock, so we've
[8] been trying to manage this project with an eye to cost.

[9] **CHAIRMAN KRAMER:** What time of year is bidding?

[10] **MS. ROHR:** May 1 for TRPA is the construction
[11] start time, we bid out in April so the contractor can start
[12] May 1.

[13] **CHAIRMAN KRAMER:** If you have enough time in
[14] advance I would suggest you bid it out around Christmastime
[15] when all the contractors are trying to pay for their
[16] equipment because they don't have jobs.

[17] **MS. ROHR:** Angie and I were talking about that
[18] today. Because we have most of the rest of the project
[19] designed that would be a good approach for us and it's also
[20] permitted. The other issue is that they can take up to 120
[21] days to permit a project, sometimes longer, and once they
[22] issue the preliminary terms it can take us up to another
[23] month or two to really negotiate how we're going to meet
[24] those conditions.

[25] **CHAIRMAN KRAMER:** Thanksgiving.

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[1] **MS. ROHR:** And we were still designing where we
[2] can see the ground when we can get surveying done. We had
[3] to realign our project out of the highway because NDOT does
[4] not allow longitudinal utilities in the highway unless
[5] there's no option. We had a couple of false starts on
[6] easements where people had agreed to grant us easements, we
[7] designed for those easements and at the last minute the
[8] conditions were so onerous, one I estimated was going to
[9] cost us an extra \$300,000 just in conditions to acquire the
[10] easement. So we abandoned that and redesigned it in the
[11] highway.

[12] We do have the project basically ready to go and
[13] permitted except for the Perkins track area.

[14] **MR. BEATTY:** Mr. Chairman, may I address your
[15] good suggestion about getting a bid out around
[16] Christmastime? I manage and own commercial properties and I
[17] have tried that. The perfect example, I have two 1938
[18] square foot buildings. I put a new roof on one of them in
[19] 2005 for \$5,558. The other one is being done today, they're
[20] doing it now.

[21] The material alone was \$6700 for the roof and
[22] try to get a price in December. Three roofers that I've
[23] done business with before said forget it, I'll give you a
[24] labor price but I won't even think about giving you a
[25] material price because it's oil based and I don't have a

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[1] clue nor does anybody else what it's going to be in June.

[2] **CHAIRMAN KRAMER:** I agree and understand what
[3] you're saying but a good contractor in business bets on the
[4] come that his bid is going to be within the realm of his
[5] being in business as long as he has and contractors like to
[6] have jobs lined up.

[7] What they miss opening one job they'll pick up
[8] on another job and contractors in the fall, Charlie can tell
[9] you that, he's been in the business, they like to have their
[10] summer work lined up. That's why a lot of times they won't
[11] bid early in the spring because they like their work lined
[12] up. I realize the prices are going to change.

[13] **MR. BEATTY:** A further frustration is the Best
[14] Management Practices requirements and these folks bid up for
[15] two or three years now for summer just doing their Best
[16] Management Practices with driveway grids for drains and all
[17] this stuff. We're frustrated just like you are.

[18] **CHAIRMAN KRAMER:** Where are we at, Board? Do we
[19] have further comments?

[20] **MEMBER FIRTH:** I think we have an unusual
[21] situation. I know what construction is at Lake Tahoe. It's
[22] just a nightmare. Between the weather conditions, the short
[23] construction season, TRPA requirements, NDOT requirements,
[24] there's no end to it. You can't put a shovel in the ground
[25] up there a couple inches without hitting a rock. I think we

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[1] have to consider that for this one.

[2] This is a little bit different than something in
[3] Fernley or Fallon or Lovelock or someplace like that. I
[4] really have to feel for you to a certain extent. I hate to
[5] see these costs, they're just horrible and you're almost
[6] going to price your customers out of business there. It has
[7] to be paid for somehow or another and we can't pay for all
[8] of them, especially if it was originally a \$24 million
[9] project which now might be a 30 or \$40 million project.

[10] I think we have to have some sympathy for them
[11] and look at this one maybe a little bit differently than
[12] some of the other areas. Again just going through what we
[13] received for our agenda today we seem to get the PERs done
[14] and I get the feeling we're getting some pretty poor
[15] estimating and also getting some poor scope of work projects
[16] because I can't for the life me understand in your PER
[17] saying you're going to build a tank on this piece of
[18] property over there and when you actually get ready you find
[19] out the tank site is too small. You don't have to be a
[20] rocket scientist to figure that out.

[21] I don't know what the requirements are for the
[22] PER, but I think we're —

[23] **MEMBER GOETSCH:** That's a great point, though.
[24] We're getting all these projects. How do we have these
[25] engineering firms coming in and giving us estimates on PERs

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[1] that are out of the gate easily recognizable as not being
[2] adequate and not taking into account the actual inflation
[3] kind of rates that are going on, and we get the extremely
[4] under-bid projects and then these folks are put in positions
[5] where they have to come back and ask for twice as much
[6] money?

[7] Do we have any way of holding these engineering
[8] firms to more realistic or how do we get the scope so that
[9] we don't end up with such poor projections of what the costs
[10] are going to be?

[11] **MS. STAMATES:** Well, I don't think from 2001,
[12] that that engineering firm back then was irresponsible
[13] necessarily. Some significant changes have occurred in the
[14] last couple of years. This is not the same engineering
[15] firm, referring to Amec, this is a different firm mind you
[16] but all things considered, we've discussed this before.

[17] It appears that the engineers are trying to be
[18] responsible. They're trying to anticipate the year over
[19] year costs and that's what Amec did on this project. They
[20] have included what they expect next year's prices to be in
[21] this. It's not today's dollars, I stated that in the
[22] summary.

[23] **MEMBER GOETSCH:** As we look at this and this
[24] isn't unusual, everybody is coming back and saying that this
[25] has happened, but if you look at what we discussed earlier

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[1] today on our budget on the amount of money that this Board
[2] has, this project stands to come up to an amount that's
[3] about equal to the entire budget for this Board. Not in one
[4] year, I'm talking about you're looking at what we said we
[5] had left now.

[6] **MS. STAMATES:** That's what's in the bank right
[7] now. We're requesting bond sales.

[8] **MEMBER GOETSCH:** That's why we're struggling and
[9] asking the questions. It's hard to look at a project that
[10] has a scope so large compared to our budget and that has —
[11] and I agree the median income may be accurate and may not
[12] have changed much over time in a neighborhood or area that's
[13] an extremely desirable and a nice place to live and not
[14] something in my mind I compare with Imlay or some of the
[15] other things we've dealt with.

[16] So much of our budget to go into that, this
[17] phase 1 is the required project to meet the permits and the
[18] legal demands for health for what the water project has to
[19] be at?

[20] **MS. STAMATES:** I put it in the very beginning of
[21] the summary, but these are their highest priority items in
[22] terms of health and safety, service reliability which you
[23] could say is part of the water conservation and economics
[24] for them. Getting the metering also helps them get a tiered
[25] rate in places for the metered people.

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[1] **MEMBER GOETSCH:** If they, if this is granted,
[2] does this system function if phase 2 doesn't get the same
[3] level funding so this system can function with phase 1?

[4] **MS. STAMATES:** This is a stand-alone phase.

[5] **CHAIRMAN KRAMER:** I think an issue that we all
[6] have a tremendous millstone around our neck and I want to
[7] say that the millstone has been lifted off of our shoulders
[8] is the fact that the legislature which provides us with our
[9] funds in order for us to sit here and deliberate, can we do
[10] this, my God, this is a terrible increase in funding, has
[11] recognized ever since I've been on the Board and been coming
[12] to the Board many years ago, the legislature has always
[13] stepped up to the Board to keep us going because they
[14] recognize, every member of the legislature recognizes the
[15] needs of these water systems, the fixing of these water
[16] systems and future problems.

[17] Every time we go to them they step up to the
[18] plate. That's not trying to talk anybody into saying, well,
[19] just give them all the money they want, but I could go home
[20] at night and feel reasonably certain that although the costs
[21] go up, the legislature seems to step up and we've really
[22] never had any major, major problems as far as being able to
[23] fund these things.

[24] I think that's one thing that is a good thing
[25] for the Board, the position that it is in in this state.

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[1] Where do you want to go, guys?

[2] **MEMBER ZIMMERMAN:** I'd be inclined to approve
[3] this because it is covering the most critical issues, but in
[4] the future, unless the rates are completely unbearable, even
[5] though this is not in excess of one and a half percent, I
[6] would probably not be inclined to approve additional
[7] projects unless you can show such a great need. If this is
[8] covering the most critical components of complying with the
[9] regulations I would be inclined to move in that direction.

[10] **MEMBER GOETSCH:** Let's follow that just for a
[11] minute. The staff has said that all other appropriate
[12] sources for funding for this project have been pursued?

[13] **MS. STAMATES:** Staff is saying they meet the
[14] Board's policy on alternative funding. When I look at item
[15] number 2, they are at your 1.5 percent.

[16] **MEMBER ZIMMERMAN:** They have sought alternative
[17] sources?

[18] **MS. STAMATES:** And they will seek additional
[19] money from SRF, whatever is available from them. They took
[20] a little bit more from SRF the first time, so they are still
[21] exhausting those funds. They're not done, mind you, looking
[22] to see if there's an option for that tank, but some of the
[23] negotiations they're having with the Forest Service and
[24] Heavenly are not so easy to accomplish, and years could go
[25] by and getting a tank that will provide this final highest

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[1] zone, I wish Andrea was here to discuss what she's seen with
[2] this tank.

[3] I've looked at it, these pictures are mine.
[4] Candi was nice enough to take me up there. The problem with
[5] trying to replace that tank and keep that zone in operation
[6] is what's really driving a lot of those high costs on the
[7] tank.

[8] **MEMBER ZIMMERMAN:** It's my understanding this
[9] would be done in January.

[10] **MS. STAMATES:** This won't be done, that's
[11] Churchill County. This is Kingsbury.

[12] **MS. ROHR:** This needs to be done during our peak
[13] demand season unfortunately.

[14] **MS. STAMATES:** Kingsbury will probably finish in
[15] the next two years with these phases.

[16] **MS. ROHR:** We need to put a temporary tank at
[17] the same elevation as our existing tank in the middle of
[18] Heavenly's ski run and it needs to be out of there before
[19] heavy snows fall.

[20] **MEMBER ZIMMERMAN:** Could it be years to work out
[21] the issues?

[22] **MS. STAMATES:** No, but if they were able to get
[23] an easement on another piece of property for a backup tank,
[24] they could come back and replace tank 10A, but the
[25] negotiations to try to get that other piece of property that

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[1] would be easier to build on could be years in the making.

[2] They're still working on it.

[3] They would do everything they could from what
[4] I've seen to try to bring the cost of that tank element down
[5] but without the negotiated easement they don't have a very
[6] good alternative for this, a new tank, and most of the costs
[7] you're seeing are just what they have to put in place to
[8] replace that tank, to keep that zone which happens to be —
[9] from what I saw it looked like one of their biggest
[10] recreation areas, these are condo people who rent for the
[11] summer or winter, this is some of the big tourist areas
[12] where people come and spend their bucks and this zone has to
[13] stay in operation. Losing that tank, I don't know what
[14] they'd do.

[15] They pull rocks off the hill now to try to
[16] prevent any from falling unexpectedly.

[17] **MEMBER ZIMMERMAN:** Is the area where you want to
[18] put this tank serving that area as well?

[19] **MS. ROHR:** Actually what we're proposing is
[20] replacement, tearing down the existing tank and replacing it
[21] in place with temporary storage, a small amount and upgrades
[22] in pumping to the pump station feeding that area so that we
[23] can keep water in the zone.

[24] It's not going to give us the kind of fire
[25] protection we need during construction, but we will upgrade

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[1] our pumping capacity — we just won't have the storage
[2] sitting there. It's not the way we want to provide new
[3] storage.

[4] **MEMBER ZIMMERMAN:** You serve the area on which
[5] you are trying to acquire the easement?

[6] **MS. ROHR:** Yes, we do.

[7] **MR. BEATTY:** It's in the, the area where the
[8] easement we want is in the Heavenly Valley/Forest Service
[9] property and nobody can seem to decide — everybody can
[10] agree this spot here which will work, the same elevation,
[11] doesn't have the big rocks on the hill on top of it is
[12] available. We've kind of given up because we're somewhat
[13] under the gun to get this tank fixed.

[14] **CHAIRMAN KRAMER:** So the engineering and
[15] construction of this tank, by doing the engineering you're
[16] going to make it as bullet proof as possible from rock and
[17] stuff like that so in ten years we don't lose it?

[18] **MS. ROHR:** We will have slope improvement, slope
[19] stabilization. The current tank also doesn't meet current
[20] earthquake standards and since that tank was installed a
[21] subdivision has been developed immediately below that tank
[22] which has also complicated just even getting lines into the
[23] area. We need to make sure it meets earthquake standards as
[24] well.

[25] **CHAIRMAN KRAMER:** Are we ready for a motion?

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[1] Did everybody get their questions answered?

[2] **MEMBER GOETSCH:** Let's go back just a little bit
[3] more. On this list there's been a previous grant, one
[4] previous grant.

[5] **MS. STAMATES:** Just this grant.

[6] **MEMBER GOETSCH:** The original grant that was the
[7] five million plus was that grant that's listed here?

[8] **MS. STAMATES:** Yes, and they've already started
[9] contributing to their capital replacement.

[10] **MEMBER GOETSCH:** My point is that as I said, the
[11] total amount of the grant and the scope of this project
[12] compared to our overall budget, I haven't been completely
[13] assured through the reading that I have done that all other
[14] resources that could have been sought were pursued, and the
[15] fact that it's a minimum contribution and I heard there's
[16] other payments for snow removal and all that, but we've had
[17] other applicants with much lesser median income come forward
[18] that have current water rates that were significantly higher
[19] than that that were contributing far more of their own
[20] resources to their own project needs than this application
[21] before us and that's what — I'm having a hard time with
[22] this one.

[23] They do meet the minimum requirements but it
[24] appears to me that the residents and the beneficiaries
[25] haven't contributed to the extent that we've seen a lot of

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[1] other projects step forward and contribute to their own
[2] needs and that makes ~~we~~ struggle with this figure.

[3] I don't know if you guys can address that. You
[4] said there's going to be a small raise into the upper 50s
[5] for water projects. Even earlier today we had communities
[6] come forward that are paying in the 60, 70, 80, \$100 water
[7] rates. My feeling is I'd like to see a more significant
[8] contribution from the beneficiaries.

[9] **MS. ROHR:** May I just mention that since this is
[10] only phase 1 of the improvements that are needed, that
[11] there's no assurance at all that this Board is going to fund
[12] any of those future improvements, and therefore, since these
[13] are our highest priority improvements, we would request that
[14] you fund this because we meet your current regulations with
[15] the understanding that we're going to be incurring
[16] additional costs on our own to fund those projects without
[17] any identifiable source for funding at this time that those
[18] additional projects need. This is not resolving our system
[19] needs by any means. This is addressing just our most
[20] critical projects.

[21] **MR. BEATTY:** If I may state, when I joined this
[22] Board as a trustee there was no long-range plan. We put
[23] together a 20-year plan which the costs back then horrified
[24] us and now it's beyond belief, and I understand and
[25] appreciate your concerns and it might make sense to you to

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[1] approve this on the basis that we understand the concerns
[2] and money is not endless, but although we are working on a
[3] 20-year plan, we're sitting here with this right now.

[4] And please, I don't want to take a lot of your
[5] time, but this 12-inch main that is being replaced, I have
[6] woken up at two o'clock in the morning and seen that pipe
[7] break. There's a 400-foot rise on it which is 280 pounds at
[8] the bottom with two million gallons behind it.

[9] We'd appreciate if you'd consider even if you're
[10] concerned about the future, let us get this one done and
[11] we'll worry about what happens after that.

[12] **CHAIRMAN KRAMER:** Board?

[13] **MEMBER FIRTH:** I'll go ahead and make a motion.
[14] I would move that we approve the request of the Kingsbury
[15] GID to increase the eligible funding to 15,335,915 with a
[16] maximum of \$9,505,311.39 or 61.9 percent of the eligible
[17] project costs, whichever is less, and also subject to the
[18] conditions stated in the staff recommendation.

[19] **CHAIRMAN KRAMER:** Is there a second?

[20] **MEMBER ZIMMERMAN:** I'll second.

[21] **CHAIRMAN KRAMER:** Is there further discussion on
[22] this issue?

[23] **MEMBER ZIMMERMAN:** Further discussion. Do we
[24] want to discuss the meters? Is that part of the conditions
[25] on the resolution?

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[1] **MEMBER GOETSCH:** It's not in the written
[2] conditions.

[3] **MS. STAMATES:** We didn't put any special
[4] conditions on it.

[5] **MEMBER ZIMMERMAN:** What about those meters?
[6] They were supposed to be installed in December 1993?

[7] **MS. ROHR:** We were supposed to come up with a
[8] plan for meters by '93 and we've been having the health and
[9] safety issues pertaining to the water system. When we came
[10] before your Board initially they said we'd rather have you
[11] fund water meters before you fix your leaky pipes and we
[12] negotiated something with your Board that said we all agree
[13] that we would install water meters in areas where we are
[14] replacing water lines.

[15] So we are phasing in the water meters. We just
[16] didn't think it was responsible to be doing water meters
[17] when we had leaking water lines in our system.

[18] **CHAIRMAN KRAMER:** So the issue is in this
[19] particular project will you install water meters whenever
[20] you uncover or replace a line?

[21] **MS. ROHR:** Absolutely, that's part of the
[22] conditions of the grant.

[23] **CHAIRMAN KRAMER:** Not necessarily saying you
[24] have to go in and put in all the water meters before you do
[25] anything else?

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[1] **MS. ROHR:** Correct.

[2] **MR. BEATTY:** That has been done on all
[3] residential.

[4] **MEMBER GOETSCH:** You have a mechanism in place
[5] right now to charge for usage at a flat rate even if there's
[6] a meter installed?

[7] **MS. ROHR:** Right. Again, the agreement in our
[8] grant is that we are not required to charge based on the
[9] metered rate until our entire system is metered.

[10] **CHAIRMAN KRAMER:** How many meters are in the
[11] system now approximately?

[12] **MS. ROHR:** A little over 100. All of our
[13] commercial customers except one are metered and we are
[14] adding 386 meters in this project, mostly residential
[15] meters.

[16] **CHAIRMAN KRAMER:** Out of how many total
[17] possible?

[18] **MS. ROHR:** We have some that are metered as a
[19] group, so maybe 1800. Any new construction in our district
[20] which is very minimal is required to be metered and charged
[21] on a metered rate and any —

[22] **CHAIRMAN KRAMER:** So you do have a metered rate?

[23] **MS. ROHR:** It's our regular rate per thousand
[24] gallons. It's the same as our commercial rate and any
[25] remodel of homes in the area of over 25 percent or an

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[1] addition of 300 square feet are required to add a meter as
[2] well.

[3] **CHAIRMAN KRAMER:** If I didn't have a meter what
[4] would I be paying?

[5] **MS. ROHR:** You'd be paying \$54 a month flat rate
[6] as a residential customer.

[7] **CHAIRMAN KRAMER:** The metered rate will end up
[8] being more?

[9] **MS. ROHR:** Right.

[10] **MEMBER GOETSCH:** I think to be consistent we
[11] held Caliente to a standard that they have a plan and
[12] complete the metering and get that going, and again, that
[13] was a \$100,000 impact to the State taxpayer. We were ~~were~~ ⁱⁿ
[14] talking about a \$20 million impact and we're not even
[15] demanding the same standard.

[16] **MEMBER ZIMMERMAN:** Can you begin to install
[17] meters now as you move through the system?

[18] **MS. ROHR:** We are. As we replace water lines as
[19] a requirement of our grant we meter any customer that is
[20] served off of that new water line.

[21] **MEMBER FIRTH:** If you've got them in an area
[22] where you're not going to do any replacement work it could
[23] be years and years, so you can't charge — it might be ten
[24] years before you could charge a metered rate.

[25] **MS. ROHR:** That's true.

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[1] **MEMBER FIRTH:** That doesn't seem very
[2] productive.

[3] **MEMBER GOETSCH:** I'd like to see a plan for a
[4] deadline to have metered rates.

[5] **CHAIRMAN KRAMER:** But that runs in conflict with
[6] the agreement that we have with previous Board approval.

[7] **MEMBER ZIMMERMAN:** We can change that, though.

[8] **MS. STAMATES:** You can change that.

[9] **MS. HUYEN:** You can amend that.

[10] **MS. ROHR:** We are in compliance with our current
[11] grant terms as far as metering.

[12] **CHAIRMAN KRAMER:** What do we want to say?

[13] **MEMBER FIRTH:** Can I amend my motion? In
[14] addition to the conditions that the staff has recommended, I
[15] would recommend that we do something similar that we did
[16] with Caliente, that we ask them to provide us with a plan
[17] and a schedule as to when they will have the whole system
[18] metered and they can begin charging a metered rate.

[19] **MEMBER ZIMMERMAN:** Was there a deadline in
[20] there?

[21] **MEMBER FIRTH:** That's a good point.

[22] **MEMBER GOETSCH:** Give them a deadline for the
[23] plan, not so much with the metering.

[24] **MEMBER FIRTH:** Let's just get the plan first.

[25] **CHAIRMAN KRAMER:** July 1st next year because of

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[1] the season?

[2] **MEMBER FIRTH:** Stephanie, are you asking for the
[3] time they should submit the plan?

[4] **MEMBER ZIMMERMAN:** Have the meters installed.
[5] I'm hearing that they don't really have to install the
[6] meters until all of the improvements are done and that could
[7] be who knows when.

[8] **MEMBER FIRTH:** We at least ought to take the
[9] first step and get a plan and a schedule from them so what
[10] they think they could do to get this whole system metered
[11] and then we can review it.

[12] **MEMBER ZIMMERMAN:** Maybe there should be some
[13] time frame with the completion of phase 1 that they all have
[14] to be installed or something.

[15] **MEMBER FIRTH:** I think we ought to ask them to
[16] submit it and we can review it and if we want to —

[17] **MEMBER GOETSCH:** I don't think you can require
[18] it in phase 1 if they didn't include that cost. You're
[19] going to be imposing a cost that they haven't budgeted for.

[20] **MR. BEATTY:** To the best of my knowledge that
[21] would be a total impossibility for us to finish metering by
[22] the end of phase 1 for two reasons. Primarily the cost. We
[23] have water lines six feet underground because of the deep
[24] frost. Putting 1800 some odd meters in where the stuff is
[25] already channeled through boulders and solid granite, where

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[1] is the money going to come from? We're talking two to
[2] \$3,000 a property for metering.
[3] **CHAIRMAN KRAMER:** I can understand what you're
[4] saying but I think what the Board is saying is we just want
[5] it on record that we need to move forward and hold your feet
[6] to the fire as far as treating you the same as we treat
[7] other people given the problems you have. When you come
[8] back and say I've got ten boulders on top of the line
[9] instead of one, we take that into consideration.

[10] **MR. BEATTY:** I heard of getting this done by the
[11] end of phase 1.

[12] **MEMBER FIRTH:** No.

[13] **MEMBER ZIMMERMAN:** Here is a way to think of it
[14] but I'd be looking at my customers where I could generate
[15] more income from them and recover my costs quickly and put
[16] some meters on those folks because you can sort of estimate.
[17] I don't know, you could estimate based on some competitive
[18] tiered rate which customers might generate income because
[19] it's hey, \$54, I'll use all the water I can use. Maybe
[20] that's your commercial customers.

[21] **MS. ROHR:** Commercial customers, most of our
[22] time-share properties are metered but they're lower water
[23] users.

[24] **MEMBER ZIMMERMAN:** Because of the amount of time
[25] they spend there.

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[1] **MEMBER FIRTH:** It doesn't seem effective to
[2] spend all this money putting meters in and you're not using
[3] them. If you spend \$2,000 a customer and it just sits there
[4] in the ground for another five or ten years until you
[5] actually start charging somebody, you've really expended all
[6] that money for nothing.

[7] **MR. BEATTY:** This was partially political
[8] necessity of surviving to get the rate increases that we
[9] had. When we brought up meters in public hearing it was a
[10] hornet's nest.

[11] Finally after endless discussion it was pointed
[12] out to people that those increases were based on the fact
[13] that we have agreed with the State that we will put in
[14] meters as we make changes on the lines, but it won't be
[15] metered until everybody's metered which is in the future but
[16] commercial is different.

[17] **MEMBER GOETSCH:** I would recommend that the
[18] amendment that was made says that within six months from
[19] today the Board would like to see a plan for completing the
[20] metering and for potential rate increases that will help to
[21] defer the costs or to bring the costs back to your rate
[22] payers so there's some sort of water financing plan that
[23] includes finishing the metering and potential rate increases
[24] that the Board could just see.

[25] You're going to get, if we approve this grant,

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[1] you've got this phase 1 grant anyway but my opinion is if
[2] you came back before this Board and you didn't have a more
[3] robust plan for completing metering and carrying a little
[4] bit more of the load on the beneficiaries rather than the
[5] taxpayers, I would not support any further funding for this
[6] project.

[7] Is that okay for your amendment to see a plan
[8] within six months to let this Board know what your goals and
[9] plans are for funding your project?

[10] **MEMBER FIRTH:** Yes.

[11] **MS. ROHR:** And we hear your message.

[12] **MEMBER ZIMMERMAN:** That's acceptable.

[13] **CHAIRMAN KRAMER:** I'm not going to ask for the
[14] motion to be reread. Is there any more input from staff,
[15] the applicant or any public input concerning this issue at
[16] this time? Hearing none, we'll call for the question. All
[17] those in favor signify by saying aye. Opposed? Motion
[18] carries.

[19] (The vote was unanimously in favor of the motion
[20] with Member Scott abstaining.)

[21] **CHAIRMAN KRAMER:** Let's go to Stagecoach.

[22] **MS. STAMATES:** Stagecoach is located
[23] approximately 25 miles east of Carson on Highway 50. An
[24] ordinance was passed in May of 1984 by the Lyon County
[25] Commissioners creating the Stagecoach General Improvement

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[1] District to provide water service to the customers of the
[2] bankrupt Stagecoach Utilities.

[3] The SGID took over the water system on February
[4] 7th, 1985. In October 1999 the Lyon County Commissioners
[5] passed an ordinance for the SGID to include the Churchill
[6] Ranchos Estates in the service area of the SGID. Churchill
[7] Ranchos Estates is located approximately 3.4 miles west of
[8] Stagecoach.

[9] The SGID currently serves 507 metered
[10] connections within the Stagecoach system and 66 metered
[11] connections located in the Churchill Ranchos Estates. This
[12] project is proposed to upgrade the existing water system for
[13] the benefit of the existing users.

[14] The main Stagecoach water system consists of
[15] approximately 21 miles of water main, two supply wells, a
[16] booster pump station and three tanks with a combined storage
[17] of 640,000 gallons. The existing system has areas which
[18] experience water pressure significantly less than 20 pounds
[19] per square inch during fire flow situations.

[20] Arsenic is not an issue in the Stagecoach
[21] system. The Churchill Ranchos water system has
[22] approximately two miles of water main, two wells and one
[23] storage tank with a capacity of 130,000 gallons. The
[24] quality of the groundwater in the Churchill Ranchos Estates
[25] wells exceeds the maximum EPA arsenic level of ten parts per

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[1] billion with arsenic concentration of 22 to 28.
 [2] SGID has been operating the two water systems as
 [3] separate systems since taking on the Churchill Ranchos water
 [4] system. In 2001 the SGID participated in an arsenic
 [5] point-of-use, point-of-entry feasibility study sponsored by
 [6] the American Water Works Association. While treatment was
 [7] an option it was decided that the long-term costs exceeded
 [8] the cost of extending the Stagecoach distribution system.

[9] Due to the high concentrations of arsenic, the
 [10] Division ranked this system as a class II water project
 [11] intended to address chronic health concerns. The project
 [12] proposes to connect the Churchill Ranchos Estates water
 [13] distribution system with the Stagecoach water distribution
 [14] system and will utilize the Central and Churchill Downs
 [15] wells, the two wells in Stagecoach, for the entire new
 [16] system.

[17] The project was phased in three phases. First
 [18] was to consolidate the system, the second is to build a new
 [19] storage tank and a proposed a 750,000 gallon tank, and the
 [20] third was to construct a new production well of 300 feet
 [21] with accompanying telemetry. SGID would like to proceed
 [22] with all three phases of the project as suggested by the
 [23] Board during consideration of the letter of intent for
 [24] Stagecoach.

[25] This letter of intent was back in August of

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[1] 2005. SGID intends to construct phase 1 beginning in the
 [2] spring of 2007 and phases 2 and 3 would be constructed at
 [3] the beginning of spring 2008. Easements will be needed to
 [4] be required for the new well site and booster pump stations.
 [5] All other improvements will be in existing rights of way or
 [6] easements on existing property.

[7] SGID currently charges \$45 per month for the
 [8] first 25,000 gallons used and \$2 for every thousand gallons
 [9] beyond that. This rate went into effect in 2006 and will
 [10] increase again in 2007. A reasonable monthly rate based on
 [11] 1.5 percent of the median household income of \$34,428 is
 [12] \$43.04.

[13] In addition to the monthly water rate, a flat
 [14] service availability tax of \$102 per lot is assessed
 [15] annually. SGID received two previous grants from the Board
 [16] and had a capital reserve fund for those funds. The fund
 [17] currently has a total of \$236,334 and change.

[18] The total estimated cost of the three phases of
 [19] the project as presented by the applicant is about \$4.2
 [20] million. If SGID were to seek a 30-year obligation on the
 [21] total estimated project amount at a 4.5 percent interest
 [22] rate to fund this project in lieu of grant funding, the
 [23] annual debt service required will be approximately \$259,096
 [24] per year or \$37.68 per customer per month.

[25] With this debt service the monthly rate would

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[1] total \$91.19. During the fiscal year 2005-2006 SGID sold
 [2] the bulk of its remaining privilege to connect fees totaling
 [3] \$4.3 million. SGID paid off their four loans totaling about
 [4] 389,000. They reserved 1.3 million for grant match for this
 [5] request and they put two million in a capital reserve fund
 [6] to meet the requirements of the Board's policy.

[7] The remaining just over \$1 million in funds are
 [8] currently earmarked for additional water system
 [9] improvements, including the upgrading of antiquated system
 [10] telemetry, adding security fencing for system components,
 [11] tanks and wells, replacing all of the four-inch lines within
 [12] the SGID, replacing old manual read meters with touch read
 [13] meters and adding more isolation valves and fire hydrants.

[14] On August 4th, 2005 the Board approved a letter
 [15] of intent for this three-phase project for the SGID and the
 [16] grant scale calculated for the project was 72.7 percent.
 [17] The consolidation of SGID and Churchill Ranchos water
 [18] systems will provide customers in the Churchill Ranchos
 [19] water system with water that meets the ten ppb arsenic
 [20] standard and will bring that system into compliance with the
 [21] regulations.

[22] Staff recommends the intertie of these two water
 [23] systems. According to the Bureau of Safe Drinking Water the
 [24] elevation of the new storage tank and associated PRV will
 [25] put SGID in compliance with pressure and capacity

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[1] requirements. The proposed storage tank size, 750,000
 [2] gallons is a more conservative amount than required by
 [3] regulation. Staff recommends that the minimum amount of
 [4] storage needed to comply with the regulations is 300,000
 [5] gallons, and this size tank be considered for grant funding.

[6] At this time the proposed consolidated water
 [7] system would be in compliance and the need for an additional
 [8] well is not made necessary by regulation. Staff was made
 [9] aware of a potential future problem with nitrates originally
 [10] from apparent septic system contamination in the groundwater
 [11] and the Churchill Downs Well in Stagecoach. Should that
 [12] well exceed the maximum contaminant level of ten parts per
 [13] million for nitrates, the consolidated system would have
 [14] only one source of water that would meet water quality
 [15] requirements. Either a new well or water treatment for the
 [16] existing well will be necessary at that time.

[17] Should the decision be made to construct a new
 [18] well SGID would need to ensure that the distribution system
 [19] is set up in such a way that the new well would serve the
 [20] entire system. As the well is not currently made necessary
 [21] for the capacity for the combined systems, staff recommends
 [22] that only the intertie and a 300,000 gallon storage tank be
 [23] the system components included in this project phase at this
 [24] time. The well could be considered at a future date.

[25] Staff recommends that the Board award a grant of

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[1] \$2,210,089.19. This is a 72.7 percent of the total eligible
[2] project costs. This would be a two-year grant subject to
[3] the conditions of the regulations, NAC 349.554 through
[4] 349.574.

[5] **CHAIRMAN KRAMER:** Thank you, Michelle. Are
[6] there questions by Board Members of Michelle? Applicants,
[7] come on up.

[8] **MEMBER SCOTT:** The only question I have is you
[9] have a second aspect to your estimate.

[10] **MS. STAMATES:** The applicant would like to speak
[11] to the issue.

[12] **MEMBER GOETSCH:** Could you repeat that number
[13] because it doesn't match what I have here.

[14] **MS. STAMATES:** I did include — if the Board
[15] should consider replacing that well at this time I tried to
[16] do the numbers for you. The applicant has expressed an
[17] interest in attempting to convince you that that's needed
[18] now and I've given you those numbers.

[19] **MEMBER SCOTT:** And we're about to hear the
[20] difference?

[21] **MS. STAMATES:** In the Bureau's letter you have a
[22] little chart, this chart, showing the increases in nitrates
[23] over time and they did ask that they have the chance to
[24] discuss this well in particular since we weren't
[25] recommending it at this time.

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[1] **CHAIRMAN KRAMER:** So that the Chairman keeps his
[2] mouth shut as much as possible because I'm getting hungry,
[3] I'd like to say my only problem to the applicant and Board
[4] Members, my only problem with this project is a major
[5] component.

[6] I will not vote for this if the issue of an
[7] 18,300 foot pipeline is eight-inch. It's got to be
[8] extremely larger. It's ridiculous to put an eight-inch line
[9] in for 3.4 miles. It has to be a bigger line.

[10] **MEMBER SCOTT:** You're talking about along
[11] Highway 50?

[12] **CHAIRMAN KRAMER:** That's my biggest concern in
[13] this project and the applicant can speak to that. I won't
[14] go forward unless it's changed.

[15] **MR. LAWSON:** Can I address that? I've been a
[16] little bit busy on this project as far as your component
[17] goes. The Carson Water Subconservancy District has set
[18] aside funding to increase the size of that line as part of
[19] this planned corridor.

[20] **CHAIRMAN KRAMER:** Do you have a letter to that
[21] effect?

[22] **MR. LAWSON:** No. Commissioner Mills told me
[23] that and I can get a letter for you, yes. I believe the
[24] number is \$575,000.

[25] **CHAIRMAN KRAMER:** What would the size of the

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[1] line be?

[2] **MR. LAWSON:** Between 12- and 16-inch.

[3] **MEMBER GOETSCH:** WSD has promised that money?

[4] **MR. LAWSON:** Yes, sir.

[5] **CHAIRMAN KRAMER:** I would want a letter to that
[6] effect. An eight-inch line for 3.4 miles is ridiculous.

[7] **MR. LAWSON:** One more thing on that. The reason
[8] I believe that was done was to keep the costs to this fund
[9] as low as possible. Am I right, Jack?

[10] **MR. NICHOLS:** My name is Jack Nichols. When we
[11] did the water system model we basically did it to comply
[12] with the regulations and because of the relatively low
[13] demand in the Churchill Ranchos Estates, an eight-inch line
[14] provided that regulatory level of service.

[15] Commissioner Kramer is absolutely right, it
[16] doesn't make sense from an operational perspective to run an
[17] eight-inch line along the highway. We had discussed
[18] internally with the district, the Board, to go at least with
[19] a 12-inch and I think the Board is prepared to do that.

[20] Then the Carson Water Subconservancy District basically got
[21] involved and made their recommendation that they fund an
[22] upsizing of that line to something between 12 and 16 inches
[23] depending on what their needs would be.

[24] You're absolutely right, an eight-inch line even
[25] though it meets the regulations, from an operational

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[1] standpoint it should be larger.

[2] **CHAIRMAN KRAMER:** When I was a water operator
[3] working for the Las Vegas Valley Water District, I still
[4] have my 1973 manual, I thought I can't allow this. That
[5] answers my question.

[6] **MR. LAWSON:** May I give you something? I didn't
[7] know I had this. It's a letter to the effect. There is no
[8] amount in there.

[9] **CHAIRMAN KRAMER:** Board Members, do you have
[10] further questions?

[11] **MEMBER FIRTH:** Michelle, do I understand after
[12] this project is complete the rate will be \$91 a month?

[13] **MS. STAMATES:** That's if they had to fund it
[14] themselves.

[15] **MEMBER FIRTH:** The rate will stay at 53.50 if we
[16] fund this?

[17] **MS. STAMATES:** Right now it meets the Board's
[18] policy. Whether they need to increase that rate for future
[19] improvements, I can't tell you.

[20] **MR. LAWSON:** We have addressed that. We raised
[21] the rate \$10, from 35 to 45 and we have an annual increase
[22] every year. That is permanent. We get an increase every
[23] year of one something percent. That's in place now and that
[24] will be in effect.

[25] **MEMBER FIRTH:** Every year their rate goes up one

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[1] and something percent?

[2] **MR. LAWSON:** Almost two percent a year.

[3] **MEMBER SCOTT:** Does Churchill Ranchos stay the
[4] same rate as Stagecoach?

[5] **MR. LAWSON:** They do.

[6] **MEMBER SCOTT:** Are they metered as well?

[7] **MR. LAWSON:** Yes.

[8] **MEMBER SCOTT:** I think we need to talk about the
[9] nitrate issue.

[10] **MR. NORBERG:** Basically, I don't know if
[11] Michelle handed out a similar chart to the Board, but
[12] basically when the Churchill Downs well went on line back in
[13] the mid '90s nitrates were relatively low, down to two parts
[14] per million. When we started pumping that well fairly
[15] heavily for production it dropped down below one.

[16] Since there's been development in the area
[17] surrounding that well we have seen an increase in septic
[18] systems and we're pretty convinced that the increase in
[19] nitrates is due to that increase in septic systems in the
[20] area. It's been steadily increasing.

[21] We went on an increased monitor basis, went to
[22] quarterly, and right after '03 it started going up
[23] significantly, and the most recent sample taken in July was
[24] 7.1 parts per million, and what we're asking the Board is
[25] probably not if it's going to exceed the ten parts per

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[1] million, it's when, and that basically if we lose the
[2] ability to use this well as a main production well, we're in
[3] very, very serious shape because we have one well that meets
[4] water quality standards.

[5] That's really where we are going with this, can
[6] we be proactive to address this situation that is headed
[7] definitely for exceeding the water quality standard.

[8] **CHAIRMAN KRAMER:** What's your remedy?

[9] **MR. NORBERG:** At this point we would propose to
[10] construct a new well in an area that is low in arsenic, does
[11] not have septic in the area and basically pull this well off
[12] line.

[13] **CHAIRMAN KRAMER:** Could that area be down the
[14] road where you've got the good water? No, that's bad water.

[15] **MR. NORBERG:** It would be down the road towards
[16] the west end but north where the high arsenic is.

[17] **MR. LAWSON:** The reason we determined that is we
[18] cooperated with NDEP on a study of vegetation as compared to
[19] the water quality and then compared it with wells that were
[20] similar throughout the valley, and they determined that this
[21] square mile was probably the best place in the valley to get
[22] arsenic free water.

[23] I believe within a mile of that well there's
[24] something like 12 septic systems, so we can reasonably
[25] anticipate no large numbers.

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[1] **MEMBER FIRTH:** Is there the potential for a lot
[2] more?

[3] **MR. NORBERG:** Recently the Lyon County
[4] Commissioners authorized the Stagecoach GID to start
[5] regulating the sanitary sewage. The long-term goal is to be
[6] a sewer purveyor with collection and treatment of everything
[7] in the Stagecoach Valley. That's a \$20 million project just
[8] to get started.

[9] So in the near term, the Board passed an
[10] ordinance requiring all new construction to put in
[11] denitrification septic systems and all failed septic systems
[12] that are being replaced to be replaced with denitrification
[13] systems.

[14] **CHAIRMAN KRAMER:** I think it's important to note
[15] here that I was involved from the beginning when wellhead
[16] protection came into play and Fernley was the first district
[17] and I know that Stagecoach has a wellhead protection
[18] district and they can enact unbelievable standards that the
[19] people will have to meet because they have that power being
[20] recognized by the state of Nevada with a wellhead
[21] protection.

[22] **MR. LAWSON:** We have done that at great
[23] political cost. We've been called communists and Nazis.

[24] **CHAIRMAN KRAMER:** It's important for this Board
[25] to know they have the power to regulate septic.

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[1] **MEMBER SCOTT:** If I understand where we are with
[2] this particular element, the staff is saying technically the
[3] well meets standard, and therefore, we don't need another
[4] well. Adele's evaluation has said look at the curve. You
[5] guys are saying we think it's just a matter of time. By the
[6] way, are you in the stock market?

[7] **MR. LAWSON:** No.

[8] **MEMBER SCOTT:** We think it's just a matter of
[9] time and we'd like you to consider funding it now. Is that
[10] in essence what the Board is being asked to referee?

[11] **MR. LAWSON:** Yes, sir.

[12] **MEMBER SCOTT:** And the tank issue, you
[13] understand the 300,000 versus the 750 and you're in a
[14] position if we were to fund the higher amount to move
[15] forward expeditiously with the well, a financial position?

[16] **MR. NORBERG:** Correct.

[17] **MEMBER GOETSCH:** Let me review a few things to
[18] be sure I've got it straight. You've got the water rights
[19] for this plan, it doesn't change any of that?

[20] **MR. NORBERG:** Correct.

[21] **MEMBER GOETSCH:** You've got a discrepancy
[22] between the staff and your request and if this new well went
[23] in the length of time that would be required, is that
[24] included in all your figures so that we don't just get the
[25] well but we also fund whatever construction project has to

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[1] transport from the site?

[2] **MR. NORBERG:** That's correct.

[3] **MEMBER GOETSCH:** If we look at the chart it
[4] could be years before that exceeds the threshold. Nobody
[5] can predict for sure what will happen, but going back, the
[6] Board has the power, but is the political will there and is
[7] there a long-term plan to manage the nitrate and sewer
[8] issues for either this well or for a future well that might
[9] be put in there?

[10] **MR. LAWSON:** We've addressed that with the
[11] denitrification system.

[12] **CHAIRMAN KRAMER:** Well, NDEP is watching that
[13] number right now.

[14] **MR. LAWSON:** We've got a letter from Patty on
[15] that.

[16] **MEMBER GOETSCH:** So the studies have been
[17] conducted so any potential new well sites aren't down
[18] gradient from this same plume that may hit them soon after
[19] that?

[20] **MR. NORBERG:** That's correct.

[21] **MEMBER GOETSCH:** And providing sewer for that
[22] whole area says unrealistically there's high density
[23] development. Nobody can afford to provide a system for
[24] homes on five or ten acres. You can't build enough pipeline
[25] to hook all those people together. So those plans are in

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[1] effect or in the making?

[2] **MR. NORBERG:** Two years ago the district did a
[3] preliminary engineering study and feasibility study for
[4] sewerage the area and basically it looked at the highest
[5] priority surveying the currently developed areas where the
[6] wells are and then moving out and obviously new subdivisions
[7] that are of any — well, any new subdivision will have to do
[8] denitrification or do some sort of wastewater collection
[9] treatment.

[10] The study that was done two years ago basically
[11] to get a minimum system that will treat the bulk of the
[12] existing developed lots would be right around \$20 million,
[13] and as you said, that's not feasible at this point.

[14] **CHAIRMAN KRAMER:** But in your favor, is it not
[15] true that with the potential intertie pipeline going from
[16] one end of the valley all the way up through the other end
[17] of the valley to Silver Springs, that some of your future
[18] water could come from that pipeline and not have to come
[19] from wells? That's way down the line, but isn't that what
[20] the intent on that particular issue is?

[21] **MR. LAWSON:** Yes, it is.

[22] **CHAIRMAN KRAMER:** So that would help when this
[23] thing goes to heck.

[24] **MR. LAWSON:** A long time down the road though.

[25] **MEMBER GOETSCH:** Michelle, I have to go back to

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[1] you. On the three different charts, in the two different

[2] costs, the 300,000 gallon storage tank has calculated both
[3] those line item costs?

[4] **MS. STAMATES:** Yes, but staff is only
[5] recommending that which was made necessary by the
[6] regulations. That's how we're chartered to recommend.
[7] That's what our grant money is for. I did give you the two
[8] combined so you can see the difference.

[9] **MEMBER GOETSCH:** Why was the 750 part of the
[10] proposal?

[11] **MR. NORBERG:** On the 750,000 we looked at not
[12] just what would make the minimum to make us meet regulations
[13] but looking at longer-term regulations, what would make
[14] better sense instead of putting a 300,000 gallon tank on a
[15] site that would hold a much larger tank which we know we'll
[16] need in the future, we looked at 750,000 which would give us
[17] a lot better emergency reserve and operating storage.

[18] And I think the intent right now, even with
[19] being funded for 300,000 and talking with the Board at the
[20] last meeting is probably doing something more like two
[21] 500,000 gallon tanks, one incrementally now and one in a few
[22] years, and that will give more operational flexibility and
[23] the site is adequate to handle that tank size.

[24] **MEMBER FIRTH:** This area that's being affected
[25] by the septic systems, is there the potential for more

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[1] septic systems to go in that area or have you reached a
[2] maximum?

[3] **MR. LAWSON:** The number of parcels is somewhere
[4] around 6,000.

[5] **MEMBER FIRTH:** If you're new regulations put the
[6] denitrification in how does this problem get worse?

[7] **MR. LAWSON:** The point where it is, the
[8] background is a little bit — you need to know a little
[9] about that. They raised — that was a turf farm operation,
[10] Dayton Valley Turf Farm and they put quite a bit of nitrogen
[11] and so forth on their grass. When they increased pumping,
[12] disturbance on the ground on the construction it's going
[13] right on up. That probably contributed to that when we
[14] increased the pumping.

[15] **MEMBER FIRTH:** Is the turf farm still there?

[16] **MR. LAWSON:** No. There's now a 128-home
[17] subdivision and they all have denitrification.

[18] **MEMBER SCOTT:** The problem, Bob, is potentially
[19] the existing septic tanks in the Churchill Downs area, the
[20] effect of those is not yet fully realized. It's still going
[21] up.

[22] **MEMBER FIRTH:** It's like seven or something. I
[23] don't know if Adele or somebody can say how long you would
[24] estimate until we hit 10. It could be ten years. Why spend
[25] that money now if we can defer it for ten years? I can't

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[1] tell you. I don't have any way of looking in the ground,
 [2] anything could happen tomorrow, but the trend doesn't seem
 [3] to be that fast. It's going up but not exponentially.
 [4] **MR. PENNINGTON:** I wanted to ask you a question.
 [5] Is this well in Stagecoach proper?
 [6] **MR. LAWSON:** No, in the new subdivision west of
 [7] there. It's where all the houses are now being built.
 [8] **MEMBER FIRTH:** Dana, do you think this will go
 [9] up rapidly?
 [10] **MR. PENNINGTON:** If you look at the chart it
 [11] took a big hop there, but it could take another ten years.
 [12] **MEMBER FIRTH:** Yes, but it looks like it's kind
 [13] of flattening out.
 [14] **MR. PENNINGTON:** It's hard to say. At the time
 [15] that well went in there wasn't a whole lot out there. There
 [16] was some existing farming activity and some large track
 [17] residences and stuff, but that's all going to change.
 [18] **MR. LAWSON:** There's another subdivision going
 [19] just to the northwest of this area within half a mile and
 [20] then we have all those parcels that haven't been developed
 [21] yet.
 [22] **MEMBER FIRTH:** I'm not worried about those
 [23] because they will have denitrification.
 [24] **MR. LAWSON:** That's a misunderstanding. The
 [25] only thing we can control according to our County

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[1] Commissioners because it's a political issue are the ones
 [2] that really belong to the district. In other words, you
 [3] have to petition to come into the district. Our wellhead
 [4] protection district goes out completely, but as Mr. Kramer
 [5] will tell you, the Commissioners have a funny way of looking
 [6] at things, including the District Attorney. They're only
 [7] saying we can require those —
 [8] **CHAIRMAN KRAMER:** What does NDEP tell you? The
 [9] State certifies your wellhead protection district. What
 [10] have they told you as far as your area that you can protect?
 [11] **MR. LAWSON:** They said we can protect the entire
 [12] area, the AG says no, we can't, they agree with Lyon County,
 [13] only within the district.
 [14] **MR. PENNINGTON:** Only one, the capture zone of
 [15] the well, ten years capture district.
 [16] **MR. LAWSON:** We can extend that out to the
 [17] border. It's purely a political thing that we're hamstringing
 [18] by the statute.
 [19] **MEMBER GOETSCH:** Does the county or anybody else
 [20] provide water out there?
 [21] **MR. LAWSON:** No.
 [22] **MEMBER GOETSCH:** If the county doesn't want to
 [23] regulate it to protect it, then let the county pay to fix it
 [24] is kind of my feeling. I don't mean this initial phase, but
 [25] in that expansion, if they don't have the political will to

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[1] help protect that, why should the State help pay for it in
 [2] the future if there is a problem?
 [3] **MR. PENNINGTON:** Or plan it in such a manner as
 [4] to blend this water with the other well. I don't know.
 [5] **MR. NORBERG:** We looked at that a little bit and
 [6] this well feeds right into the distribution system, so we
 [7] have to have a dedicated line to some mixing tank. Then we
 [8] could mix them and get back to the system. It's not
 [9] impossible for sure.
 [10] **MR. PENNINGTON:** It just costs a lot of money.
 [11] **MEMBER SCOTT:** What's the arsenic level in this
 [12] well?
 [13] **MR. NORBERG:** This one I think was either 6.8 —
 [14] **MS. STAMATES:** Both of these wells are below the
 [15] ten parts per billion.
 [16] **MR. LAWSON:** That can change also.
 [17] **MEMBER GOETSCH:** I thought I read a 40 number.
 [18] **MS. STAMATES:** That's in the Churchill Ranchos.
 [19] They've got 22 to 28.
 [20] **MR. LAWSON:** Additional information. We did an
 [21] analysis of wells across the valley and they run anywhere
 [22] from 100 parts per billion down to zero, so I don't know how
 [23] that aquifer is going to react when we start pumping that
 [24] down as these houses develop.
 [25] **MR. PENNINGTON:** Is that arsenic?

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[1] **MR. LAWSON:** That was arsenic. The nitrates, we
 [2] didn't do a nitrate. The only one we did was on our own
 [3] wells.
 [4] **MEMBER SCOTT:** The other thing is
 [5] denitrification is not 100 percent either. It requires
 [6] maintenance of individual units and I don't think it puts
 [7] nitrates at zero.
 [8] **MR. PENNINGTON:** Those would be homeowner
 [9] maintained?
 [10] **MR. LAWSON:** You guys need to sit on one of
 [11] those boards. We had some very interesting hearings, and
 [12] no, the district will maintain them. We charge \$20 a month
 [13] to do that, which is not what we wanted. We wanted 30 but
 [14] didn't want to get hung either. The meetings were
 [15] interesting. That's all I have to say about them.
 [16] **MEMBER ZIMMERMAN:** How about the funding
 [17] sources? When we were initially mentioning the connection
 [18] feeds you shook your head.
 [19] **MR. LAWSON:** They mentioned the fact that we had
 [20] an additional 340 services to sell. What happened there was
 [21] we did not have those in existence and when this was coming
 [22] up I went down to Mr. Ricci and we reached an agreement
 [23] whereby the requirement for the amount of water per home was
 [24] reduced which gave us the additional 340 which we then took
 [25] advantage of the building frenzy and were told to come up

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[1] with all the matching funds that we needed for this to get
[2] the district into the position where we could pay as much as
[3] we could.

[4] **MEMBER ZIMMERMAN:** You do have the matching
[5] funds available?

[6] **MR. LAWSON:** Yes.

[7] **MEMBER SCOTT:** I think that was very astute.

[8] **MEMBER ZIMMERMAN:** Yes.

[9] **MR. LAWSON:** Thank you.

[10] **MEMBER SCOTT:** It does you no good sitting as a
[11] credit somewhere when you can turn it into something —
[12] you've got a bigger mission than you've got money.

[13] **CHAIRMAN KRAMER:** Where do we stand, Board?

[14] **MEMBER SCOTT:** I have a concern about the
[15] district being back in a position of only having one well
[16] that would supply the water quality. Do I understand that
[17] the construction schedule, if we were to go ahead with the
[18] larger project, would mean that — when would the well
[19] construction actually occur? If we had another year's worth
[20] of data and it's continuing to go up it might mean one
[21] thing. If it flattens out it might mean there's a bigger
[22] window.

[23] **MR. NORBERG:** The well is planned in 2008, the
[24] well and tank and the intertie, 2007.

[25] **MEMBER ZIMMERMAN:** I'm inclined to approve

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[1] staff's recommendation rather than including the new well,
[2] if that's what you're talking about.

[3] **MEMBER SCOTT:** Yes.

[4] **MS. ZIMMERMAN:** I'd prefer to see it be more in
[5] the 10 range. You've got to have some time but we don't
[6] know if it's going to hit that point.

[7] **MEMBER FIRTH:** It's not going to go on line in
[8] 2008 anyway.

[9] **MR. LAWSON:** You want us to come back?

[10] **MEMBER FIRTH:** That's up to you, but we really
[11] don't know what's going to happen until we get a little bit
[12] more data here.

[13] **MS. HUYEN:** Can I add that the language in the
[14] statute is pretty clear that the money of the grant is to be
[15] used for systems, the necessary part of the system only.

[16] **MEMBER ZIMMERMAN:** It's not necessary yet is
[17] what you're saying.

[18] **MEMBER GOETSCH:** That's the Board's
[19] interpretation I guess is what she's asking you to consider
[20] and I think what we're talking about is the effort is
[21] starting, but it would seem more prudent to put some of it
[22] into mitigation of the nitrates than into current and future
[23] planning and put requirements to that growth rather than
[24] just look for monies where you can keep popping wells out
[25] and stay ahead of the plume. I'm inclined to agree with

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[1] Stephanie.

[2] **MR. LAWSON:** Actually there would not be a
[3] plume. There the — we've done flow studies on the wells
[4] also to determine where the water is coming from and where
[5] we're proposing is from a source as opposed to downstream.

[6] **MEMBER ZIMMERMAN:** Dana, do you think that
[7] outside of what you call that area, the capture zone, if
[8] there were some rules that didn't allow for the old septic
[9] that don't allow nitrates to leak into the groundwater, if
[10] they could get some rules that wouldn't allow those types of
[11] systems outside of the zone, do you think that would make a
[12] difference?

[13] **MR. PENNINGTON:** Apparently the Commissioners
[14] don't feel they have any authority to regulate outside of
[15] the capture zone. The capture zone for wells, the old
[16] wells, they're all off to the east and basically they have
[17] systems all up there. This well off to the west, a capture
[18] zone may be more of I guess a westerly or northwesterly
[19] direction, so coming down from the higher elevation.

[20] If there's anything up there it's far less
[21] developed unless there's planned unit developments going in
[22] there at this time.

[23] **MR. LAWSON:** There is.

[24] **MR. PENNINGTON:** They control a ten-year capture
[25] zone that might extend out approximately 3500 feet from the

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[1] well at a certain width. That's what they are attempting
[2] apparently to regulate within that. If they develop around
[3] the fringes of that there would eventually be a problem
[4] because nitrification units reduce the amount of nitrates
[5] that the septic system generates but does not eliminate it.

[6] It may be longer providing the lithology and all
[7] that comes together, there could be contamination there
[8] sooner or later, but if there's no central wastewater system
[9] that collects all the wastewater in the valley and then
[10] processes it and has a discharge or whatever for reuse of
[11] that water at another location, then you've got nitrate
[12] exposure out in the valley there.

[13] **MEMBER ZIMMERMAN:** If there's new subdivisions
[14] going in and they are contributing to the problem and you
[15] are able to get those outside of your zone to install
[16] different systems, I tend to agree with Brad, why should we
[17] front that cost or foot the bill if others are not willing
[18] to participate in the solution?

[19] **MR. LAWSON:** No. Our concern is not the
[20] subdivisions because our district policy is if somebody puts
[21] a subdivision in they will build all the infrastructure
[22] needed for that subdivision and pay for it, including sewer
[23] systems, whatever. That's not the point.

[24] The point is the existing parcels that are out
[25] there now. There's something like 6,000 parcels out there

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[1] without any subdivisions. We do have three proposals in
[2] place totaling 13, 14,000 homes but those require sewer
[3] systems and they will be required to build all
[4] infrastructure including wastewater plants.
[5] **MEMBER GOETSCH:** But with that I guess along the
[6] lines that Stephanie asked, from the last State Engineer
[7] presentation I saw I believe this basin or this area is one
[8] of the most over allocated, over pumped basins in Nevada.
[9] In Lyon County if all them were over allocated and over
[10] pumped I think we're talking about two different things.
[11] If all those dreamed-about homes that you just
[12] talked about came in here there would have to be some
[13] outside water source. What we're looking at right now is
[14] your organic water source in the homes that are there now
[15] and still the significant issue of the nitrate plume mixed
[16] with over pumping in a limited basin, I think we need to be
[17] careful about not — if the county is not managing that we
[18] don't want to from the infrastructure standpoint encourage
[19] exacerbation of that problem. Am I in the right area?
[20] **MR. PENNINGTON:** Well, my understanding of this
[21] Board's mission is to fund projects that are found to be
[22] eligible under the Drinking Water Act in the State
[23] regulations.
[24] **MEMBER GOETSCH:** Which is what the staff
[25] proposal does.

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[1] **MR. PENNINGTON:** We could talk about a lot of
[2] things, but that's what your mission is.
[3] **MEMBER SCOTT:** What I'm seeing and hearing is
[4] they went from three and a half to seven in about five years
[5] and there's concern about what the trend is going to be. I
[6] think what Nhu is saying is we're supposed to be dealing
[7] with identified issues and the general sense that I'm
[8] getting is we may be getting there but we're not quite there
[9] yet.
[10] I would think that maybe the best approach is to
[11] proceed with the staff recommendation, understanding that if
[12] those numbers continue to go up we're going to see these
[13] folks again because this is dealing with an existing
[14] situation, not necessarily a bunch of new growth. The new
[15] growth is going to be new building permits but it's on lots
[16] that already exist.
[17] Anyway, my thought is based on what I'm hearing
[18] from the Board Members that perhaps we are more comfortable
[19] looking at the staff recommendation and at the same time
[20] recognizing, and a year from now it still won't be 2008, if
[21] those numbers are eight and a half, then we will be a much
[22] better position to say, yes, it is moving to a public health
[23] issue and we should be proactive at this point because it's
[24] probably a whole lot more predictable time wise.
[25] With that, I would make a motion to approve a

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[1] resolution designated the 08-06-E5a, Stagecoach GID water
[2] distribution system improvements pertaining to the
[3] determination by the Board for Financing Water Projects of
[4] the state of Nevada to provide a grant for the purpose of
[5] financing certain projects, making certain findings of fact
[6] and providing other details in connection therewith, subject
[7] to the conditions of staff and based on the eligible cost
[8] estimated to be \$3,040,012.64.
[9] **MEMBER ZIMMERMAN:** Second.
[10] **CHAIRMAN KRAMER:** We have a motion on the floor
[11] and a second. How does your motion — do we need to amend
[12] the motion on the issue of the intertie line size because
[13] that's more dollars?
[14] **MEMBER SCOTT:** My understanding is we're funding
[15] at the eight-inch level for the proportionate amount and
[16] what they do is their business, but we are encouraging them
[17] to look at oversizing.
[18] **MEMBER ZIMMERMAN:** Did you get comfortable with
[19] that letter that you saw?
[20] **CHAIRMAN KRAMER:** Yeah, somewhat.
[21] **MEMBER SCOTT:** Did you want to say more?
[22] **MEMBER GOETSCH:** The intertie is required, the
[23] upsizing of the pipe is required and the 300,000 gallon tank
[24] is what's included in this?
[25] **CHAIRMAN KRAMER:** When I looked at it, I know

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[1] about the future development in that area. That whole
[2] valley from Carson City all the way up to Silver Springs is
[3] supposed to be a major water line sometime and I understand
[4] that's a long time in the future. I was just concerned how
[5] can we vote on an eight-inch line when it should be a
[6] minimum of ten-inch to just get off the ground.
[7] **MEMBER SCOTT:** We're not voting for an
[8] eight-inch, we're providing financial support.
[9] **CHAIRMAN KRAMER:** However they come up with the
[10] money, I think that I want to send a strong signal, very
[11] strong signal that staff needs to make sure that we larger
[12] than an eight-inch line. However that comes about, then
[13] that comes about.
[14] **MS. STAMATES:** I'm not sure you have the
[15] authority to mandate that in the field.
[16] **MEMBER GOETSCH:** So the motion would have to be
[17] this funding is contingent on them upsizing that line
[18] through other funding sources?
[19] **CHAIRMAN KRAMER:** Well, will they agree to that?
[20] **MEMBER GOETSCH:** They've already said they have
[21] the funding.
[22] **MEMBER SCOTT:** The Board has already talked
[23] about a 12-inch.
[24] **CHAIRMAN KRAMER:** I can live with it. I just
[25] want to make sure.

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[1] **MS. STAMATES:** This is something that is added
[2] as a condition of the funding agreement?
[3] **MEMBER SCOTT:** I'm not sure we want to go there
[4] in the funding agreement because I don't know that we have
[5] the authority for that. I think we can certainly send a
[6] message that says we want to look at this as a regional
[7] element and we recognize that upsizing and I think they do
[8] too —

[9] **CHAIRMAN KRAMER:** I don't know that we don't
[10] have the authority to do that.

[11] **MEMBER SCOTT:** How does that relate to our
[12] mission? It's good planning, but it's not necessarily —

[13] **CHAIRMAN KRAMER:** In order to solve the problems
[14] that they have between the two subdivisions that they want
[15] to put together, the Board in my mind would be irresponsible
[16] if they allowed, if they approved something and they went
[17] ahead and put an eight-inch line in there and it didn't work
[18] because I don't think it's going to work, then we have
[19] funded something that doesn't work.

[20] **MEMBER SCOTT:** You've got engineers here saying
[21] that's what is needed based on the State regulations.

[22] **MR. PENNINGTON:** Water use down there in
[23] Churchill Ranchos Estates —

[24] **MEMBER ZIMMERMAN:** Maybe the resolution is
[25] conditioned upon the representation made by them that they

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[1] will be putting in a line greater than ten, we're not
[2] mandating it, or greater than eight.
[3] **MEMBER GOETSCH:** In the minutes the Board made
[4] this approval based on the representation by the water
[5] district that they were putting in a line greater than eight
[6] inches, so if it turns out they put in an eight-inch line
[7] down the road and it comes back on the record and shows that
[8] the Board didn't want that and we were under the assumption
[9] that an adequate pipe was put in —

[10] **CHAIRMAN KRAMER:** Does the second stand?

[11] **MEMBER ZIMMERMAN:** Yes.

[12] **CHAIRMAN KRAMER:** Anything further? All those
[13] in favor signify by saying aye. Opposed? Motion carries.
[14] (The vote was unanimously in favor of motion.)

[15] **CHAIRMAN KRAMER:** This is the Imlay matter.

[16] **MS. STAMATES:** Do you want me to abbreviate this
[17] even more? You've read the summary and the letter of
[18] intent, you recall that? I'll go to staff's
[19] recommendations, if that suits you.

[20] **CHAIRMAN KRAMER:** That's fine. This is another
[21] reason why going out in the field is important because some
[22] of us have been out in the field and seen this, so it's
[23] easier to be able to summarize this and make a quicker
[24] decision.

[25] **MS. STAMATES:** Due to the ability of wells to

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[1] pump directly into the distribution system, the Bureau of
[2] Safe Drinking Water gave the water system credit for the
[3] lower production well, thereby reducing the size of the
[4] necessary total storage from 250,000 to 130,000 gallons.

[5] Staff reviewed the costs required at the letter
[6] of intent stage and revised the storage tank cost provided
[7] by the applicant. Given the rising cost of construction and
[8] materials, the county is asking that the total eligible
[9] construction amount be increased by 20 percent across the
[10] board for construction. They also requested a larger
[11] contingency amount, \$100,000. They stated that their
[12] original engineering estimate would remain the same.

[13] The staff then recalculated a new eligible
[14] project amount based on the smaller storage tank size but
[15] determined that the eligible contingency would be based on
[16] that construction cost.

[17] There is an error in the resolution numbers. At
[18] the time I made an error in the engineering assumption, did
[19] not leave the numbers the way they were, based them solely
[20] off of the new construction, so I've actually retracted that
[21] and here's my recommendation.

[22] That the engineering should have remained as the
[23] original estimate stated and staff recommends that phase 1
[24] of the water system be approved based on a grant scale of
[25] 74.7 percent for a two-year grant subject to the conditions

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[1] given. These will be important. With the funding provided
[2] by CDBG, this should cover all their eligible project costs
[3] and the grant amount should not exceed \$571,837.46. This is
[4] approximately 74.7 percent of the eligible project costs
[5] estimated to be \$765,012.

[6] I think I've got the numbers straight now.

[7] **MR. WALSACK:** I concur.

[8] **MS. STAMATES:** The county is subject to the
[9] conditions of the regulations for this program. Pershing
[10] County must also create a rate structure for the town of
[11] Imlay to be phased in over the next three years which will
[12] eliminate the net operating income and make the town of
[13] Imlay water system financially viable.

[14] It is stated at the letter of intent this may
[15] include but is not limited to an increase in water rates for
[16] both active and inactive residential connections. The rate
[17] structure must be in place before a funding agreement will
[18] be signed by the State.

[19] Pershing County must ensure that a minimum \$8500
[20] is placed into a capital reserve account annually in
[21] accordance with Board policy on depreciation. This is for
[22] the previous grant. The funding agreement must be signed
[23] within six months of the Board's conditions to obligate
[24] these funds. It's abbreviated.

[25] The grant amount is \$571,837.46 with the

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[1] eligible project costs being \$755,012. I'd hand you an
[2] amended resolution if you would like to read that this way.
[3] **MEMBER GOETSCH:** I think all of us, the Board
[4] group that traveled actually went out and saw this. I went
[5] through Imlay two days ago and just looked at the layout to
[6] get it straight in my own mind where things are. We've all
[7] discussed this pretty much in-depth.

[8] **CHAIRMAN KRAMER:** Does everybody have their
[9] questions answered?

[10] **MEMBER GOETSCH:** I think they need a system
[11] badly. I really do like what the staff did on the tank.
[12] That's what I had my biggest problem with. It appeared to
[13] me the tank was oversized, and that it smacked of us
[14] approving future growth which we've held tight on other
[15] folks, so with this adjustment, I'm comfortable with what
[16] we're looking at.

[17] **MEMBER ZIMMERMAN:** I am too.

[18] **MEMBER SCOTT:** One general observation on your
[19] water rights and you probably have thought about it, but
[20] there's a fair number of unused either lots or connections
[21] and a standby rate for each lot separate from a water meter
[22] rate might be a way to help get revenues from folks that are
[23] just sitting there with property that's not being developed.

[24] I know Stagecoach has done that and it's a
[25] guarantee for connection in the future but it's a revenue

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[1] source today, but that's neither here nor there I guess,
[2] just an observation.

[3] **MEMBER GOETSCH:** So that plan would be submitted
[4] within six months?

[5] **MS. STAMATES:** We requested it at the letter of
[6] intent stage and they just started those negotiations
[7] looking at that, but before we go forward with this plan
[8] they need to have that plan in place.

[9] **MEMBER ZIMMERMAN:** Which is one of the
[10] conditions in the resolution.

[11] **MEMBER FIRTH:** Do the inactive lots have the
[12] meters?

[13] **MR. WALSACK:** My name is Phil Walsack with Farr
[14] West Engineering. We're serving the county of Pershing and
[15] the town of Imlay as the technical assistance provider.

[16] The answer to your question is sort of. There
[17] are 390 lots in the community. There are some 90 folks who
[18] have water connections. The water meters are not all in in
[19] all of those locations. Only those customers who are deemed
[20] inactive or active have actual water meters in the ground.

[21] The water flows through the meters and the
[22] meters have been in the ground for 15 years. There are
[23] customers who have an inactive account where they pay \$10 a
[24] month and their meter is turned off and only turned back on
[25] by the utility. One of the suggestions to the county has

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[1] been to eliminate that standby opportunity. You have a
[2] meter, you pay a flat monthly rate period. That would
[3] generate about \$2300 a year for the utility to make up that
[4] \$8500 margin that we're trying to create.

[5] The other piece that I have been very clear with
[6] this Board and with staff on is the opportunity to have
[7] increased revenue and cut costs. The county is looking hard
[8] at both of those options, consulting costs, raising rates,
[9] perhaps going to a system obligation fee, all those things
[10] are part of the package.

[11] This system is unique. They have had meters,
[12] they bill a metered rate. Their unaccounted for water loss
[13] is about 11 percent. Up at the lake they cannot tell me
[14] what the loss is. This community can tell you
[15] month-to-month what the loss is. They're median household
[16] income is \$19,001 a month. Their current water rates for
[17] 22,000 gallons is 4.24 percent of the median household
[18] income, not 1.5 or 1.6, 4.24 percent. They have done what
[19] you asked them to do the last time which was pay for other
[20] improvements.

[21] They are the first water utility to take surface
[22] water rights and turn them into groundwater rights from the
[23] State Engineer's order to avoid surface wall filtration.

[24] **MEMBER ZIMMERMAN:** Here, here.

[25] **MR. WALSACK:** The little town of Imlay and the

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[1] County of Pershing are the first ones to do that to try to
[2] keep costs down. We have negotiated to get that tank size
[3] reduced and allow some opportunity to save money. Thank
[4] you.

[5] **CHAIRMAN KRAMER:** Are we ready for a motion?

[6] **MEMBER ZIMMERMAN:** I'd like to make a motion to
[7] approve the resolution designated the 08-06-E5b, revised
[8] resolution, town of Imlay water distribution system
[9] improvements pertaining to the determination by the Board
[10] for Financing Water Projects in the state of Nevada to
[11] provide a grant for the purpose of financing certain
[12] projects, making certain finding of fact and providing other
[13] details in connection therewith. The total eligible project
[14] costs are \$765,012 and the grant amount is 74.7 percent of
[15] that amount which equals \$571,837.46, with conditions as
[16] noted by staff.

[17] **MEMBER GOETSCH:** I'll second.

[18] **CHAIRMAN KRAMER:** We have a motion and second.
[19] Is there further discussion by the Board Members or any
[20] members of the public or the applicant?

[21] **MEMBER GOETSCH:** I'd like to say thanks for the
[22] work that was done. This is what I'd like to hear from
[23] other applicants that come forward. They haven't met the
[24] minimum requirements but if they've taken action with their
[25] own money to resolve their own issues.

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[1] **CHAIRMAN KRAMER:** So noted.
[2] **MEMBER ZIMMERMAN:** Yes, thank you.
[3] **CHAIRMAN KRAMER:** Hearing none, we'll vote on
[4] the question. All those in favor signify by saying aye.
[5] Opposed? Motion carries.
[6] (The vote was unanimously in favor of motion.)
[7] **CHAIRMAN KRAMER:** Guys, it's two o'clock. Let's
[8] take a half an hour break.
[9]
[10] (The luncheon recess was taken.)
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[1] **CARSON CITY, NEVADA, WEDNESDAY, AUGUST 23, 2006, 2:23**
[2] **P.M.**
[3]
[4] **CHAIRMAN KRAMER:** I'll call this meeting back to
[5] order. If staff is prepared, let's move on to the next
[6] agenda item, 5-C, Searchlight.
[7] **MS. STAMATES:** We'll go through the whole thing?
[8] On February 16th, 1988 the Las Vegas Valley Water District
[9] became responsible for the operation, maintenance and
[10] administration of the Searchlight water system through an
[11] inter-local agreement with Clark County.
[12] Currently water is supplied by two groundwater
[13] wells. Well S-2 was drilled in 1990 and is the primary
[14] production well producing approximately 300 gallons per
[15] minute. Well S-1 drilled in 1983 serves as an emergency
[16] backup well and produces approximately 150 gallons per
[17] minute for short periods of time. It is not a reliable
[18] well.
[19] NAC 445A.6686 requires that when wells are the
[20] sole source of water for a system and are in a remote area,
[21] redundant well capacity is required. The water table and
[22] groundwater production rate of that well has declined
[23] steadily due to routine wear on the well and recent
[24] maintenance on the well indicates that the casing must be
[25] repaired or replaced. Rehabilitation of the casing of well

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[1] 2 may be possible but would be a risk to the system capacity
[2] without a reliable backup well.
[3] This project phase proposes to drill a new well
[4] in an area further west of well S-2. In May 2005 a
[5] geophysical survey was conducted to help identify possible
[6] well sites for a new replacement well and as a result six
[7] locations were identified as having high potential to yield
[8] a safe, reliable water supply and also be potential sites
[9] for drilling exploratory wells for further characterization.
[10] The plan is to select the best site for
[11] construction of new replacement production well. While
[12] groundwater exploration is prudent, State regulations do not
[13] have a requirement on the number of test wells that need to
[14] be explored. The most cost efficient approach to the
[15] project would be to drill one exploration well and determine
[16] if it meets the water quality and quantity needs prior to
[17] exploring other sites.
[18] Searchlight currently charges \$17.62 per month
[19] for the first 10,000 gallons used and \$2.38 per 1,000
[20] gallons beyond the 10,000. This rate went into effect in
[21] January of 2006 and will increase by three percent per year
[22] until 2009.
[23] This water rate works out to \$46.18 per 22,000
[24] gallons, which is 2.2 percent of their MHI. Their water
[25] rates are such that it meets the Board's policy of

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[1] alternative funding which requires that an applicant apply
[2] for a loan or any capital improvement project for the
[3] maximum amount possible that will not cause an increase the
[4] water rates to exceed 1.5 percent of the median household
[5] income.
[6] The charge for a new service connection is
[7] \$5,600. In recent years annual revenues in the Searchlight
[8] water system account have been roughly equal to annual
[9] expenses. However, required maintenance to the S-2 well
[10] concluded early this year depleted any financial reserves
[11] available to the system. The 2004 annual financial report
[12] for the Searchlight water system closed with a net loss of
[13] over \$50,000.
[14] Searchlight receives .0176 percent of gross
[15] sales tax revenues or an average of \$1,200 per month. The
[16] fund can only be used for water infrastructure improvements
[17] and cannot be used for operational expenses.
[18] The Searchlight water system is in need of
[19] improvements totaling currently an estimated \$13 million.
[20] After reviewing the grant application for phase 1, staff
[21] suggested that the district include cost estimates for the
[22] required pipeline connection to the Searchlight water
[23] distribution system. A complete estimate for phase 1 allows
[24] staff and the Board to consider the cost requirements to
[25] provide Searchlight with a new production well.

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[1] The cost of the discharge pipeline from the new
[2] production well to the distribution system is dependent upon
[3] the location of the exploratory well that produces the
[4] necessary water volume and quality.

[5] Options were shown for the estimated lowest
[6] median range and highest cost pipelines. The district will
[7] begin its exploration of the location of the lowest cost
[8] option and move out from there if necessary. Additional
[9] exploratory wells will only be drilled if an adequate supply
[10] of water is not located.

[11] The district is applying for state and federal
[12] grants to help supplement project costs. The project has
[13] received a state and Tribal assistance grant from the
[14] Environmental Protection Agency for \$384,900, with a
[15] matching fund requirement for that grant being \$314,918.

[16] Searchlight is currently earmarked for a grant
[17] from the U.S. Army Corps of Engineers. However, it is
[18] uncertain when or if those grant funds will be available.
[19] The district intends to make a low interest loan available
[20] to the Searchlight water system to cover the remaining
[21] project costs that this grant does not cover, our grant and
[22] the Tribal grant that is.

[23] On November 3rd, 2005 the Board approved a
[24] motion to grant up to \$1.5 million for the purpose of
[25] fulfilling the phase 1 project, including items or the items

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[1] that were included were the exploration and drilling of one
[2] new well with appurtenant piping. Given the uncertainty and
[3] the exact elements of the project, costs for those elements
[4] and timing in phases, the Board and staff actually had
[5] insufficient information to make any other recommendation at
[6] that time.

[7] Also at the letter of intent stage a grant scale
[8] of 78.5 percent was calculated for Searchlight based on the
[9] requirements of NRS 349.983, subsection 3, and the Board's
[10] policy. In reviewing this grant application staff
[11] considered the grant scale.

[12] Staff reviewed the submittals from the district
[13] and concurs with the district's estimates for the
[14] exploratory well, production well and the production well
[15] equipment. An estimated eligible project cost of \$1,674,400
[16] accounts for the production well and exploration well.
[17] Staff will recalculate the pipeline options with engineering
[18] costs being a percentage of construction only, their
[19] percentage of construction costs with contingency.

[20] Given that the most desirable location based on
[21] costs for the new well is at the least distance from the
[22] current system, staff recommends that the pipeline cost
[23] estimate for the low cost option be considered as the
[24] eligible project cost for the pipeline.

[25] Given that, we recommend for the phase 1 water

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[1] system improvements for the town of Searchlight, they be
[2] approved based on a grant scale of 78.5 percent for a
[3] two-year grant subject to the conditions we've set forth in
[4] the summary. The grant amount would not exceed
[5] \$2,536,522.34, approximately 78.5 percent of the total
[6] eligible project costs calculated.

[7] It appears that the district will need to raise
[8] water rates more than currently planned unless this project
[9] is supplemented by a Corps of Engineers grant. Conditions
[10] set forth by staff include the conditions set forth in the
[11] regulation and we've also set a condition that the district
[12] must have an approved water conservation plan before a
[13] funding agreement will be signed by the State, and that this
[14] funding agreement will be signed within six months of the
[15] Board's decision to obligate funds.

[16] I recognize that you've got to try to figure out
[17] what numbers we're looking at.

[18] **CHAIRMAN KRAMER:** The capital replacement
[19] account you say is not applicable?

[20] **MS. STAMATES:** It doesn't have any previous
[21] grants, so there's no amount of money required.

[22] **CHAIRMAN KRAMER:** Oh, okay.

[23] **MEMBER SCOTT:** Michelle, how does the SB 62
[24] grant relate to this particular project? That was an
[25] exploratory well.

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[1] **MS. STAMATES:** They're looking for wells in a
[2] different area. It's not in this valley. They can help me
[3] get that straight, I think. They're not in the same place.
[4] I had the same problem.

[5] **MEMBER SCOTT:** It's the same entity?

[6] **MS. STAMATES:** Yes, but it's not for the same
[7] purpose.

[8] **MR. PELANGER:** My name is Andy Pelanger. The SB
[9] 62 funds were for a monitoring program to monitor water
[10] levels and those sort of things. Exploratory wells are
[11] being drilled to find the location of a new production well.

[12] **MEMBER SCOTT:** So the monitoring well or wells,
[13] Andy, is more —

[14] **MS. JACOBSON:** I'm Laurie Jacobson.

[15] **MR. SCHMALZ:** My name is Richard Schmalz.

[16] **MS. JACOBSON:** The proposed monitoring wells are
[17] located both east and west of the exploratory area. The
[18] idea is to monitor the impacts of our pumping on other water
[19] rights as well as others' pumping on other water rights.

[20] **MEMBER FIRTH:** On the maps that are in your
[21] report, I couldn't quite determine how far away the new
[22] wells or the well sites are from the existing well and it
[23] looks like a mile, a mile and a half. If your problem is
[24] declining water levels and declining water quality, it just
[25] seems like you're not far enough away to resolve that.

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[1] You're in the same aquifer, you're very close to where the
[2] other wells are.

[3] **MS. JACOBSON:** We feel that the exploratory area
[4] we've targeted is about the best area within the alluvial
[5] basin.

[6] **MEMBER FIRTH:** Even though you're only maybe a
[7] mile or so away from the existing well that you're having
[8] problems with?

[9] **MS. JACOBSON:** Yes.

[10] **MEMBER FIRTH:** Is there some type of a barrier
[11] in between?

[12] **MS. JACOBSON:** I can't speak to that, I don't
[13] know.

[14] **MEMBER FIRTH:** I don't have any geological
[15] information, but it seems like you're not going to the solve
[16] the problem with that location. Are there any agricultural
[17] wells in that area?

[18] **MS. JACOBSON:** I know there are other water
[19] users in the area. Specific to agriculture I'm not aware
[20] of. There's a lot of mining.

[21] **MEMBER FIRTH:** Oh, there are mining operations?
[22] They're just dewatering mines, is that what they're doing?

[23] **MS. JACOBSON:** I'm not certain on the water
[24] rights.

[25] **MEMBER SCOTT:** We're not in a major ag area.

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[1] The test well, I think it's at 1,000 feet.

[2] **MS. JACOBSON:** We have Desert Milling Company,
[3] Viceroy Gold Corporation, Junior Creek, Spirit Mountain
[4] Utility Company which I understand is a small mobile home
[5] park out in the vicinity, Gem Enterprises, Snow Bird
[6] Resources, Limited and a myriad of smaller ones.

[7] **MEMBER FIRTH:** Those are all active wells?

[8] **MS. JACOBSON:** Yes.

[9] **MEMBER FIRTH:** Did your preliminary studies show
[10] whether there's going to be any interference between your
[11] wells and their wells or vice versa?

[12] **MS. JACOBSON:** Most of the wells within the area
[13] are actually hard rock wells. They count on fractured flow.
[14] I think that there are a couple of wells that are in the
[15] alluvium but they're closer to the town of Searchlight and
[16] the alluvium is very thin there.

[17] **MEMBER FIRTH:** Are your sites in the alluvium?

[18] **MS. JACOBSON:** Deeper into the alluvium, yes.

[19] **MEMBER FIRTH:** How deep?

[20] **MS. JACOBSON:** 700 feet.

[21] **MEMBER FIRTH:** I assume you're going to drill
[22] maybe 1,000 feet or until you hit bedrock?

[23] **MS. JACOBSON:** Yes.

[24] **MEMBER FIRTH:** It just didn't seem to me like we
[25] were far enough away.

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[1] **MEMBER SCOTT:** It looks like we're five to seven
[2] miles away.

[3] **MS. STAMATES:** Not from S-2.

[4] **MEMBER SCOTT:** I'm sorry, from Searchlight
[5] itself.

[6] **MEMBER FIRTH:** But not from the existing well.

[7] **MS. JACOBSON:** About two miles away.

[8] **MEMBER FIRTH:** But you're comfortable that the
[9] hydrogeological work you've done so far has identified what
[10] you think is the best area to drill?

[11] **MS. JACOBSON:** I believe we'll hit the sweet
[12] spot.

[13] **MEMBER SCOTT:** What kinds of quantities are you
[14] looking for?

[15] **MS. JACOBSON:** We're hoping for 300 GPM.

[16] **MEMBER SCOTT:** That's less production for the
[17] cost than a lot of folks. That's a pretty uphill cost for
[18] 300, if you can hit it.

[19] **MS. JACOBSON:** It's a very dry valley.

[20] **MEMBER GOETSCH:** Do we have a State figure for
[21] what the requirement is? What's the capability you need to
[22] have to support 309 EDUs? That was one of my questions.

[23] What is the capacity of this system, the requirements to
[24] support the existing users?

[25] **MS. STAMATES:** Safe Drinking Water looked at

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[1] this and the issue is there is the need for a reliable well
[2] and a reliable backup. At this point they have neither. So
[3] the actual volume is not reviewed. They're trying to
[4] replace the volume they have today with wells that will
[5] continue to serve them.

[6] **MEMBER GOETSCH:** One of my thoughts in our
[7] charter is they currently have two wells, one unreliable at
[8] 150 production, one fairly reliable at 300 but has a
[9] potential threat to it.

[10] So by the figures we were given in these books
[11] I'm seeing they're getting a little over 300 gallons per
[12] minute reliable production today and that's supporting the
[13] 309 EDUs. The future capacity that's proposed to be
[14] designed is going to be 600 minimally with two wells that
[15] produce at 300 or better. So that capacity is significantly
[16] more than what they're existing on today, correct? Is my
[17] logic correct there?

[18] **MS. STAMATES:** If indeed they would pump both of
[19] those wells at 300 GPM consistently. It's my understanding
[20] their system can't take that kind of volume. They don't
[21] have storage for it.

[22] **MEMBER GOETSCH:** The storage component is not
[23] going to be changed?

[24] **MS. JACOBSON:** The storage component is planned
[25] to be increased in a future phase. Right now Searchlight

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[1] storage totals 416,000 gallons and that is less than the NAC
[2] requirement for emergency operating and fire storage. So we
[3] do have an immediate need for additional storage. It is not
[4] a part of this phase. We do have the mitigation of the S-1
[5] well which can serve as a short temporary substitute.

[6] **MEMBER GOETSCH:** So as we just dealt with the
[7] Imlay problem and the discrepancy between the requirement
[8] and what was actually found to be adequate and approved
[9] later, when we look at this whole big project, significantly
[10] increased pumping capability and increased storage, that's
[11] one of my questions. Is that new capability a required
[12] capability for the existing?

[13] **MS. STAMATES:** We're not viewing this new well
[14] as an addition to. It's a replacement of well number 2.

[15] **MEMBER GOETSCH:** So well number 1 is discounted?

[16] **MS. STAMATES:** They technically need to do
[17] something about well number 1, but that's not part of this
[18] application.

[19] **MEMBER FIRTH:** If the two new wells are
[20] successful you would abandon well number 1 also?

[21] **MS. JACOBSON:** I'm not sure that we would not
[22] keep it there in service in case we needed it. It's very
[23] difficult in a system like Searchlight to give up a facility
[24] that may be functional or may be needed.

[25] **MEMBER FIRTH:** Maybe I didn't mean give it up,

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[1] but you'd just use it as standby or emergency?

[2] **MS. JACOBSON:** Yes. It is standby now.

[3] **MR. PENNINGTON:** Wasn't there initially a
[4] problem — we know the standby well, that you have to
[5] operate it during any period of time it just quits
[6] producing, but your main well had a problem too, didn't it,
[7] that at least in the next year or two you're going to have
[8] to address because production is declining in it and we've
[9] had arsenic issues in there too, I believe?

[10] **MS. JACOBSON:** It's just over the new MCL for
[11] arsenic, 11, 12. There are holes in the casing at the
[12] location where the pump would be. The level of the pump has
[13] been raised. Repair to the casing is possible, but we're
[14] very concerned that the hole would collapse on us if we
[15] tried to remove the casing, so we would really like to have
[16] another well in there before we attempt repairs.

[17] **MEMBER SCOTT:** There's a \$30,000 right of way
[18] cost in the improvement estimate.

[19] **MS. JACOBSON:** Yes, that's correct.

[20] **MEMBER SCOTT:** Can you tell me what you have to
[21] buy or acquire?

[22] **MS. JACOBSON:** We may have some private
[23] acquisitions as well as temporary rights of way necessary
[24] for construction.

[25] **MEMBER SCOTT:** It's always been our I guess hope

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[1] and encouragement that we don't use our monies for
[2] purchasing rights of way or easements simply because it
[3] pretty much opens the door to almost anything.

[4] The other question I had was, and there are a
[5] lot of numbers here, but I'm looking at the grant
[6] application, page 4 of 6, and I see Nevada Power engineering
[7] and administration for \$100,000, and when I look up above it
[8] looks like the power line cost is somewhere in the \$250,000
[9] range.

[10] **MS. JACOBSON:** 208,000?

[11] **MEMBER SCOTT:** Well, 239 is what I'm seeing.

[12] This is now in table 2 and I'm wondering how I can be the
[13] engineer for your power line at that kind of a percentage.
[14] I realize you're in the middle of that too, but that sort of
[15] raised my eyebrows, although it is nice if it goes to \$1
[16] million. Those are the same fees and I realize that's the
[17] estimate, but hopefully it won't prove to be quite that
[18] large.

[19] **MS. JACOBSON:** Our plan is to go to the lowest
[20] option first for cost.

[21] **MEMBER SCOTT:** I realize it's hard to get
[22] estimates from folks like that. It is what it is and you
[23] just have to sort of grin and ask them when you can get it
[24] because when they deliver is almost more critical than how
[25] much it costs.

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[1] The other question I guess I had, the
[2] environmental, is that Desert Tortoise mitigation?

[3] **MS. JACOBSON:** Yes, the whole area here is in an
[4] area of critical environmental concern, so we've got extra
[5] special environmental requirements.

[6] **MEMBER FIRTH:** If for some reason the new wells
[7] turn out to be poor water quality would you then go to
[8] treatment on the existing wells or the new wells?

[9] **MS. JACOBSON:** We have a plan to move
[10] immediately to install a skid mount arsenic treatment unit
[11] at well S-2. As part of our EA for the entire project we
[12] are securing a site along the highway for a permanent
[13] treatment plant site. We would then move, once the EA is
[14] done, we would move the treatment facilities there on the
[15] highway.

[16] That would allow us to intercept all the wells.
[17] It would also allow our folks to find the treatment plant
[18] because the environmental concerns — once the construction
[19] is completed, we're required to rough grade the road and
[20] sometimes it's very difficult to find the facility.

[21] **MEMBER GOETSCH:** So this then is phase 1 and you
[22] have storage capacity and treatment facilities and other
[23] things in the latter phases planned?

[24] **MS. JACOBSON:** Yes.

[25] **MEMBER GOETSCH:** How many phases?

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[1] **MS. JACOBSON:** We had broken it out into three
[2] phases.
[3] **MEMBER GOETSCH:** And the total estimated cost?
[4] **MS. JACOBSON:** I believe it was 13 million.
[5] However, our environmental costs have been going up lately.
[6] **MEMBER FIRTH:** That was a question I had. \$13
[7] million for a system that size is going to be a real burden
[8] on them if you can't get funding, sufficient funding to do
[9] that. Are you comfortable that you can fund it through
[10] grants and loans and whatever?

[11] **MS. JACOBSON:** We certainly hope to be able to.
[12] We have an application in to the Army Corps of Engineers.
[13] We're waiting for comment back.

[14] **MEMBER FIRTH:** Is that for all three phases?

[15] **MS. JACOBSON:** Yes, it is.

[16] **CHAIRMAN KRAMER:** What kind of track record has
[17] the district had in working with the Corps of Engineers?
[18] We've had projects before us where they say, here, we're
[19] going to help you and then they're not there. Do you feel
[20] pretty confident about it? If the Corps is here I'm in
[21] trouble.

[22] **MR. PELANGER:** We have to go through this
[23] process. I'm not even sure we're prepared to make a comment
[24] about what that relationship will be. We hope for it to be
[25] a good relationship.

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[1] **CHAIRMAN KRAMER:** I thought because the district
[2] is so large that possibly you had had maybe some
[3] relationship with them before. We've had — I can't
[4] remember what project that we had here within the last year
[5] that everything was going to, the Corps of Engineers was
[6] coming in and the last minute, not last minute, all of a
[7] sudden, boom, they're gone, no explanation, just gone and
[8] said we're not funding.

[9] **MEMBER SCOTT:** I think that Virgin Valley has
[10] had better luck and I would expect that Searchlight might
[11] have a chance at that as well.

[12] **MEMBER GOETSCH:** I do too.

[13] **MS. JACOBSON:** A sister agency, the Southern
[14] Nevada Water Authority has done so much with the Army Corps
[15] towards the Las Vegas Wash cleanup. Also we did assist the
[16] Moapa Valley Water District with an Army Corps application.
[17] I was involved only in the preparation of the application
[18] itself, but I understand that the project is now under
[19] construction.

[20] **CHAIRMAN KRAMER:** Good.

[21] **MEMBER GOETSCH:** Las Vegas Valley Water District
[22] has taken this other?

[23] **MR. PELANGER:** The Las Vegas Valley Water
[24] District operates it. This a very small system very far
[25] away from the urban core. It's a significant mileage away

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[1] from the communities. It's closer to Boulder City and
[2] Laughlin. It's sandwiched between those two remote
[3] communities. I would say 60 miles.

[4] **MEMBER GOETSCH:** And another operating system
[5] and pipelines?

[6] **MR. PELANGER:** Yes. It's a system we operated
[7] remotely and the Las Vegas Valley Water District. What
[8] happens when some of these small public water systems in
[9] Clark County, Blue Diamond, Indian Springs, it's on the
[10] verge of potentially falling into our laps. When they
[11] become financially insolvent the first thing they did rather
[12] than come to this Board or try to seek additional money,
[13] they went to the County Commissioners and they assigned them
[14] to us. We get a dollar for them.

[15] **CHAIRMAN KRAMER:** That's how this whole thing
[16] started out. The first one was Kyle Canyon and then
[17] Searchlight and Blue Diamond. I think the district staff
[18] throughout the years has had different feelings about being
[19] encumbered in issues like that that are so far outstanding,
[20] but if the Board says, county commissioners say that's the
[21] way they want to handle it, the people who do the work is
[22] the Las Vegas Valley Water District, so you end up being
[23] saddled with it and you do the best you can.

[24] **MEMBER SCOTT:** The county doesn't have a lot of
[25] options either.

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[1] **MR. PELANGER:** We try to make sure that we have
[2] skills and staff on hand that is able to manage a lot of
[3] these things, and a lot of that time and energy that the
[4] water district has goes into the management of some of these
[5] small systems. So there's a lot of hidden costs that you
[6] don't see sometimes in these grant applications, what the
[7] district does in kind for these small systems, including
[8] Searchlight and Kyle Canyon.

[9] **MEMBER SCOTT:** This is definitely a development
[10] well to district standards but we do appreciate the fact
[11] that there's engineering design, contract administration and
[12] a lot of other things.

[13] I know you tried to explain it to me and I'm not
[14] completely sure I understand it. When we talked about the
[15] SB 62, as I recall there were four monitoring wells that
[16] were part of that and we basically funded one. Those are
[17] much more global in the Piute Valley groundwater basin and I
[18] presume those are going ahead as related but a separate
[19] water development process?

[20] **MS. JACOBSON:** That's correct. Generally the
[21] monitoring wells need to wait for completion of the EA for
[22] the entire project.

[23] **MEMBER SCOTT:** What we're doing now is we have
[24] basically a test hole that would be followed by a production
[25] well, and if we're lucky, the first test hole is good enough

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[1] to develop as a production well?

[2] **MS. JACOBSON:** Yes.

[3] **CHAIRMAN KRAMER:** Is the future outcome of the
[4] SB 62 wells slated to be used, if the test wells turn out
[5] okay, to be used in the Searchlight area or will they turn
[6] out to be —

[7] **MR. PELANGER:** The SB 62 wells will be
[8] monitoring wells regardless of anything else. Those are the
[9] aquifer monitoring wells.

[10] **MEMBER SCOTT:** That is the aquifer that
[11] Searchlight draws from, but also the aquifer where the
[12] Southern Nevada Water Authority has other rights.

[13] **MR. PELANGER:** They don't have any rights in the
[14] Piute Valley. The Las Vegas Water District holds a
[15] considerable amount of water rights that we currently do not
[16] use, but the Southern Nevada Water Authority does not have
[17] any rights in Piute Valley.

[18] **MEMBER SCOTT:** I misspoke, I meant the district
[19] because I saw this figure which the district has in Piute
[20] Valley, but that's a somewhat related but separate issue.
[21] Staff has basically done some revisions. Are you guys in
[22] agreement with the staff's recommendations?

[23] **MS. JACOBSON:** Yes.

[24] **MEMBER GOETSCH:** Are there any — as you look at
[25] this project as a whole and divide out the numbers you come

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[1] to about \$44,000 per customer on the system is what this
[2] cost is going to be of this project. That seems to be
[3] pretty steep. If you divide three million plus if the
[4] figures come in as they are now and we suspect they're going
[5] to go up by the number of connections that you've got, you
[6] come out with a number that's probably upwards of \$45,000
[7] per connection when inflation comes in.

[8] We talked last time about are there any options,
[9] is there an option to deepen or repair existing wells, is
[10] there an option to find water closer that doesn't require
[11] that length of pipeline or have all of those options been
[12] engineered, studied and discounted? Do you see what I'm
[13] getting at? The same pressure we put on the other folks.
[14] This is a whole lot of money.

[15] We said last time we could probably afford
[16] better to find new houses and move them to where the water
[17] is.

[18] **MR. PELANGER:** Not in Las Vegas anymore.

[19] **MEMBER GOETSCH:** This was outside of Las Vegas.

[20] **MR. PELANGER:** You can't move them to Las Vegas.
[21] I don't think we are anticipating coming to this Board or to
[22] the State to seek the \$13 million. We're seeking a portion
[23] from the State, we're seeking additional funds from the
[24] federal government. We're looking under every rock and
[25] crevice to find funding for this project. It's a point well

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[1] made.

[2] We have to build at a certain distance away from
[3] the community because that's where we have found the best
[4] water to be. Laura can talk more about that, but we have
[5] looked at other options within the area and a lot of the
[6] other options are either more expensive or just not
[7] feasible.

[8] **MEMBER GOETSCH:** Just following up, that takes
[9] me back to my original question; what is the gallon per
[10] minute production that's actually required to support these
[11] existing connections? Would it be a 200 gallon per minute
[12] capability, 500 gallon per minute combined well capacity?

[13] **MR. PENNINGTON:** Ball park, if you have a
[14] metered system, residential connections usually coming in
[15] around 600 gallons per day per connection, and if it's
[16] unmetered it's usually almost done. Each community has
[17] something different going on. I don't know what the
[18] landscaping is down there, it could be lower, when you're
[19] just talking about that kind of use.

[20] **MEMBER GOETSCH:** 1,000 gallons per day?

[21] **MR. PENNINGTON:** Yes, you could round it off and
[22] say 1,000 gallons per day per residential unit and
[23] commercial could be a little higher.

[24] **MEMBER GOETSCH:** So if somebody did that math,
[25] what does that come out to be? 1,000 times 300 and how many

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[1] gallons per minute capability to build that up per day?

[2] **MEMBER SCOTT:** About 208 gallons per minute.

[3] **MEMBER GOETSCH:** So 300 gallons a minute
[4] capability would suffice to provide the requirement here?

[5] **MS. JACOBSON:** Yes, and given historical
[6] information that's also correct.

[7] **MEMBER SCOTT:** Your backup well isn't big enough
[8] at the same time.

[9] **MEMBER GOETSCH:** So the issue is you need a
[10] capability to produce that or you need to over size your
[11] storage so you can have some grace period between the
[12] breakdown and a need in either of those cases. So it's
[13] reasonable to look at two 300 gallon per minute capable
[14] wells as a requirement in case one well goes out.

[15] **MR. PENNINGTON:** I guess I missed what you were
[16] saying there.

[17] **MEMBER GOETSCH:** That's what I wanted to
[18] confirm. It's a reasonable proposal that you need a
[19] capability to produce 300 gallons per minute or was that per
[20] hour if that calculates out?

[21] **MR. PENNINGTON:** That's a whole bunch of water.
[22] That's a whole day's worth of water, that's a lot. That
[23] should take care of it.

[24] What happens if that well goes down? They need
[25] something in back up that basically meets the minimum needs

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[1] or they have to have an extraordinary amount of storage on
[2] hand to get them through a few days until they can make a
[3] repair.

[4] I think they are kind of like right on the edge.
[5] If they get a good well with a good production rate they're
[6] probably going to be fine to have a limited amount of backup
[7] there existing. Some of it needs some work. Storage
[8] capacity, didn't you say it's going to increase?

[9] **MS. JACOBSON:** It's a little low, it's 416,000
[10] right now and I think my calculations are up to 569,000 is
[11] required.

[12] **MR. PENNINGTON:** Unless the fire marshal shows
[13] up and says we've got to have twice that amount of water
[14] here, that would probably be okay.

[15] **MEMBER SCOTT:** The other problem is it's going
[16] to cost you about 85 to 90 percent of a 300 gallon a minute
[17] well for 150 because you're going to drill the same well and
[18] just equip it a little bit smaller. You kind of have to go
[19] through the bulk of the costs getting the most you can.

[20] **MEMBER GOETSCH:** My thought was trying to look
[21] and say I think the 300 is a good figure because you need to
[22] have that in case one well goes out and you'll have that.
[23] This phase doesn't include the storage, but if you have two
[24] 300s, then the storage that you have may be adequate to go
[25] there and that's your calculation if a new well comes in.

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[1] I guess back to as long as we look at this the
[2] well seems to be sized appropriately. If the area that is
[3] being looked at is as close as we can get and reduce the
[4] pipeline costs as well as it can be, I don't see any other
[5] areas that could be significantly reduced.

[6] **CHAIRMAN KRAMER:** Storage components can also be
[7] influenced by the drawdown of the aquifer. You may have a
[8] 20 million gallon storage tank but if the well won't support
[9] filling it you're robbing Peter to pay Paul, so you've got
[10] to balance it out and they'll know that once they drill the
[11] well.

[12] **MEMBER GOETSCH:** That took me back to what you
[13] said, that this phase 1 is what you're going to come to us
[14] with and ask for funding for and you're going to look
[15] elsewhere for funding. This is the critical early component
[16] to get the well up?

[17] **MR. PELANGER:** Yes. I don't want to leave the
[18] impression that we may never come back to the Board but
[19] we're looking at getting enough federal funds that the only
[20] thing we might come back to this Board for in the future is
[21] to get enough State funds in combination with the local
[22] match to help bring some of these projects on in the future.
[23] But this is our first phase and this is what's on the table
[24] today.

[25] **CHAIRMAN KRAMER:** Well, where are we at, Board?

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[1] **MEMBER SCOTT:** I'm prepared to make a motion.

[2] **CHAIRMAN KRAMER:** Further comments by staff,
[3] Board or public?

[4] **MR. ROMERO:** My name is Michael Romero, Town
[5] Board Member in Searchlight. On behalf of the town we hope
[6] you okay this. They are old existing wells, the
[7] infrastructure is old. They came in a few years back and
[8] instead put the S-1 like a backup. It's an old well and
[9] dries up after a period of time of pumping.

[10] The second one, it had problems with the sleeve
[11] and they did repair of the actual pump itself. Was it a
[12] rebuilt well, I believe, to replace the pump but if they try
[13] to replace the sleeve and repair it they are afraid it would
[14] collapse it.

[15] **CHAIRMAN KRAMER:** The sleeve was offset?

[16] **MR. ROMERO:** It's either leaking — could you?

[17] **MR. ANDERSON:** Steve Anderson, Las Vegas Valley
[18] Water District. The well has screen damage at about 675
[19] feet, pretty significant. What we did — it's not a
[20] perfectly straight well unfortunately so there's some
[21] limitation to what we can do, and all we did was install a
[22] new pump and motor at a higher siting. When we reach a
[23] certain pumping level in the aquifer we're going to have to
[24] go back in and lower that back down is our present plan.

[25] **CHAIRMAN KRAMER:** Is the plan for the new well

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[1] to have stainless steel screen in it?

[2] **MR. ANDERSON:** Yes. The original construction
[3] was the least expensive material available.

[4] **CHAIRMAN KRAMER:** You don't want to put in any
[5] more. Gone are the days of perforated pipe.

[6] **MR. ROMERO:** We would encourage it because in
[7] case S-2 fails we're going to be stuck without water for a
[8] while unless the district comes in and saves us but we still
[9] have to pay them back.

[10] **MEMBER SCOTT:** It's a little hard to save you
[11] from 60 miles away.

[12] **MR. ROMERO:** Any questions for me?

[13] **CHAIRMAN KRAMER:** Thank you for coming.

[14] **MEMBER FIRTH:** Do you have a resident operator
[15] there or do you send somebody from Las Vegas if something
[16] happens there?

[17] **MR. ANDERSON:** Currently the system is operating
[18] solely from the main office. We have one dedicated rural
[19] system operator that operates all our five rural systems.
[20] We're able to be alerted to an issue. Our resident operator
[21] was there about five years ago and based on the current
[22] water rate structure and usability and feasibility it became
[23] a cost that we felt we could support this with.

[24] **CHAIRMAN KRAMER:** How long does it take for an
[25] operator to respond?

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[1] **MR. ANDERSON:** A little over 45 minutes to as
[2] much as an hour and a half and the storage is very critical.
[3] We typically know about a problem when it happens.
[4] **CHAIRMAN KRAMER:** Where you at, guys?
[5] **MEMBER SCOTT:** I'll make a motion to approve a
[6] resolution designated the 08-06-E5c, town of Searchlight
[7] water distribution improvements pertaining to the
[8] determination by the Board for Financing Water Projects of
[9] the state of Nevada to provide a grant for the purpose of
[10] financing certain projects, making certain findings of fact
[11] and providing other details in connection therewith, subject
[12] to the conditions of staff and recognizing that the basis on
[13] which this is calculated is an eligible cost amount of
[14] \$3,231,238.65. That is the eligible cost.

[15] **MEMBER GOETSCH:** I'll second that, and just for
[16] clarification, with the grant amount not to exceed
[17] approximately 78.5 percent or \$2,536,522.34.

[18] **CHAIRMAN KRAMER:** Any problem with that
[19] amendment?

[20] **MEMBER SCOTT:** I agree with that.

[21] **CHAIRMAN KRAMER:** We have an amended motion and
[22] second. Is there further discussion by Board or the
[23] applicant or the public? Hearing none, we'll vote on the
[24] question. All those in favor signify by saying aye.
[25] Opposed? Motion carries.

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[1] (The vote was unanimously in favor of motion.)

[2] **CHAIRMAN KRAMER:** Okay, guys, you can get to
[3] work.

[4] **MEMBER SCOTT:** Thank you for coming.

[5] **MS. STAMATES:** I'd like to make a comment. We
[6] have an agenda item to consider, the grant for Kyle Canyon,
[7] but the district and the staff have tried to combine the
[8] remaining phases of this project and work out a grant
[9] application for the November meeting.

[10] **CHAIRMAN KRAMER:** I would like to see that. I
[11] think combining them would be good.

[12] **MS. STAMATES:** At the letter of intent stage you
[13] asked them to phase it and they did but we're relying that
[14] they pull it together and put it all through at once because
[15] all of the pipeline requirements they have are necessary to
[16] make this work well. They're amenable to it and we're going
[17] to come out and take a look and get a better understanding.

[18] **CHAIRMAN KRAMER:** Let's put Kyle Canyon closer
[19] to the top since you came so far for the November meeting.

[20] **MS. STAMATES:** The only reason I put them far
[21] out is because I didn't know if they wanted to fly in the
[22] night before. I tried to let them come in that morning.

[23] **MR. PELANGER:** We like being with you people.

[24] **MS. STAMATES:** They are one of the three I was
[25] telling you about.

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[1] **MR. PELANGER:** Mr. Chairman, with your
[2] indulgence, I'd like to harken back to something you said
[3] earlier in the meeting. You talked about the importance of
[4] going out to some of these communities and seeing on the
[5] grant some of the facilities that are being contemplated.
[6] It appeared to be very successful with Imlay and we would
[7] like to invite the Board and staff to come out to Kyle
[8] Canyon and see the facilities on the ground. We have
[9] infrastructure that's existing and some of the critical
[10] needs we have are in that area.

[11] We've received support in the past from the
[12] Board on Kyle Canyon and we appreciate that. We have some
[13] other critical needs that need to be addressed. We'd like
[14] some time to work with staff to address those concerns and
[15] bring back a proposal that we believe would warrant support
[16] from the Board.

[17] **CHAIRMAN KRAMER:** Good. Are you aware or do you
[18] have a good inventory of what's in the ground?

[19] **MR. ANDERSON:** In Mount Charleston? I'll say
[20] fairly good. I won't say real good.

[21] **CHAIRMAN KRAMER:** Do you know how much lead pipe
[22] you have?

[23] **MR. ANDERSON:** I'll say —

[24] **CHAIRMAN KRAMER:** I do and I can show you.

[25] **MR. ANDERSON:** If you can help us correct our

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[1] map, absolutely.

[2] **MEMBER SCOTT:** I'd like to say something while
[3] Andy is here. That whole Mount Charleston area is a severe
[4] fire hazard issue and we have real limitations on what we
[5] can do, but I would hope that the ability is able to be
[6] found somewhere that the upgrades to the system can be
[7] complemented as needed to maximize the benefit for fire
[8] protection there. As you well know, it's a real potential
[9] inferno.

[10] **MR. ANDERSON:** Bruce, could I speak to that?
[11] Are you referring to the Forest Service areas and stuff like
[12] that?

[13] **MEMBER SCOTT:** The whole Mount Charleston area
[14] but the Kyle Canyon area is where the inhabitants are.
[15] Access is an issue but the other side is the potential for a
[16] man-caused fire might be higher in that area than it may be
[17] otherwise. I was thinking in my mind as an engineer we
[18] could use extra storage and additional fire hydrants, maybe
[19] some other things that we can't fund with our mandate but
[20] sure ought to be part of the bigger picture if it's at all
[21] possible to do.

[22] **MR. ANDERSON:** If I could, they had what was
[23] called the Robert's Roost Fire in 2003. What we did as the
[24] district is supported the Forest Service. They had acquired
[25] some property up there with agricultural wells. We

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[1] energized their well for them, we figured out their plumbing
[2] without any assistance because they had no infrastructure or
[3] maps and the helicopter support for the first two days of
[4] the fire was done in the abandoned golf course parking area
[5] through little tanks.

[6] But whoever designed this system it created an
[7] elevated tank where the helicopters could lift from it, took
[8] two days to get that operating, so the third day they were
[9] successful in being able to control the fire. That's
[10] approximately four miles from our service area.

[11] The fire department trucks mobilized in our area
[12] and were ready to use our system at that time. We certainly
[13] didn't want to give them enough water because at that time
[14] we were in a pretty bad drought and didn't have the real
[15] capacity to support them, but through a joint effort we were
[16] able to sustain that. This year the Forest Service
[17] activated the well on their own and all summer long they've
[18] had those tanks full of water in preparation for the worst
[19] case scenario.

[20] **MEMBER SCOTT:** Thank you.

[21] **CHAIRMAN KRAMER:** Same thing happened back in
[22] the '70s up at the kids camp and I forget the name of the
[23] campground that's right there as you turn in there. We had
[24] a heliport set up there and a fire that was in the canyon at
[25] that time in that area was supported with helicopters and

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[1] fire hoses and stuff. We run from Spring Mountain Youth
[2] Camp and Forest Service lines that hadn't been used in a
[3] long time. I know what you mean.

[4] It's an extremely good rapport with the Forest
[5] Service and that Mike Dondero, if you know who he is, a good
[6] friend of mine was responsible for that, so I understand
[7] what you're talking about. It's a very close camaraderie
[8] down there in Kyle Canyon. You were saying?

[9] **MR. PELANGER:** I just wanted to let you know we
[10] have letters of support from Senator Warren Harding and
[11] Assemblyman David Parks. They were Chairmen of the
[12] committees that provided the funding this last legislative
[13] session for the AB 198 program, increased funding and also
[14] will leave these for the record.

[15] I don't want to get into the grant application
[16] at all, but one of the things that staff and we have been
[17] talking about is this notion of reasonable rates for Kyle
[18] Canyon, and I wanted to assure the Board that this phase 2
[19] is absolutely critical because it's the phase that includes
[20] the meters, and once we have those meters in place we're
[21] able to create a rate structure that's based upon actual
[22] usage.

[23] We've seen water usage increase but the water
[24] rates remain flat, so if we had a metered structure they're
[25] paying \$51 for about 14,000 gallons. When we came to the

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[1] Board in 2002, they were using, the system was using on
[2] average about 22,000 gallons per connection per month.

[3] We've actually seen as that rate has remained
[4] constant, the conservation plan and those other efforts
[5] increased conservation but metering this system will enable
[6] us to develop a reasonable rate in coordination with the
[7] Board's policy.

[8] **CHAIRMAN KRAMER:** You have meters on the wells?

[9] **MR. PELANGER:** On some of them. This phase 2
[10] would be the phase that — that allows the meters to be
[11] installed.

[12] **MS. WILSON:** My name is Karen Wilson and all our
[13] wells are metered but only about a third of our connections
[14] are metered. I think that was the misunderstanding.

[15] **CHAIRMAN KRAMER:** So are the meters that I
[16] installed still there? I installed — when they took over
[17] the system I installed every new meter according to the Las
[18] Vegas Valley's specifications. Those are the ones in the
[19] standpipes.

[20] **MR. PELANGER:** I'm sure they are still there. I
[21] don't know.

[22] **MR. ANDERSON:** I'm going to say they've been
[23] replaced over the years.

[24] **MEMBER SCOTT:** Probably because some of them
[25] didn't work.

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[1] **MR. ANDERSON:** You certainly anticipated one of
[2] our questions for next time.

[3] **MR. PELANGER:** That really is I think an issue.
[4] From our perspective we don't want to go before the Town
[5] Board and before the customers of the district and increase
[6] rates and get everyone up in arms right now, and then when
[7] we put meters on create a totally different structure within
[8] a period of two years.

[9] We would like to have some leeway from the Board
[10] to develop a comprehensive proposal similar to what happened
[11] in Churchill County where there's a commitment on our part
[12] that once the meters are installed rates will be increased
[13] to a level of a reasonable rate. That's our perspective and
[14] we hope we can gain support for that.

[15] **CHAIRMAN KRAMER:** We'll take a look at it.

[16] **MEMBER GOETSCH:** Bring us a proposal for a
[17] deadline for meters to be installed.

[18] **CHAIRMAN KRAMER:** And we'll think very carefully
[19] about getting down there. We'll take a tour and maybe show
[20] you some stuff you don't know.

[21] We're ready for the progress report for funded
[22] AB 198/AB 237 projects. Who is going to handle that?

[23] **MS. STAMATES:** Well, I'll handle that. We have
[24] a lot of projects out there. I'll hit a couple of high
[25] points and then you can ask whatever you like.

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[1] I don't know if you noticed, but the Topaz Ranch
 [2] Estates folks were here and they've been trying to get back
 [3] to the Board now for a couple of times but hadn't quite
 [4] gotten their easement for their well. They were happy to
 [5] let us know today that they do finally have an easement.
 [6] It's in the park right in Topaz Ranch Estates.
 [7] The county has given them an easement. They
 [8] have a letter of commitment from them and so they will be on
 [9] our next agenda. I'm happy for them. I think they came up
 [10] with a better solution and a lot of that was thanks to Lee
 [11] and to his engineers, but Lee did a lot of the foot work
 [12] himself.

[13] Just last week I was up in Gerlach to take a
 [14] look at their new uranium treatment plant. It's on line and
 [15] the operation hums quietly alone. Nobody likes it because
 [16] it cost them a lot of money. We're not going to do a ribbon
 [17] cutting ceremony. It's not very much appreciated but it was
 [18] mandated and it is operational.

[19] They don't know how often they'll need to
 [20] backwash the system. That's not a regeneration, just a
 [21] backwash to get the particulates out. They're going to wash
 [22] the actual uranium concentrations before and after each of
 [23] the tanks. They have two tanks that they pass the water
 [24] through, so it goes from a redwood tank through the
 [25] treatment plant and through the steel tank and they have a

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[1] very nice system that allows them to operate the whole
 [2] system back at the office a whole two miles away, but
 [3] they're very diligent about checking it.

[4] TMWA is doing their analysis for free, three
 [5] analyses each week, so they're going to look at the trend
 [6] and see just how long this lasts.

[7] **MEMBER FIRTH:** Couldn't they have a ribbon
 [8] cutting ceremony at Burning Man?

[9] **MS. STAMATES:** I think they're probably cutting
 [10] a lot of ribbons out there but not in celebration of this.

[11] You've seen a lot of the same grantees back
 [12] today. Battle Mountain is doing a pretty good job. I get a
 [13] daily report from them in pictures, so I get a report from
 [14] their inspector every morning, pictures of the system, where
 [15] they're at. I honestly don't pull out the drawings to try
 [16] to see the stake locations, but they're moving along quite
 [17] well and I encourage them to get their pay requests in.
 [18] It's one of the nicer projects to see.

[19] Churchill County is also one that tends to give
 [20] me an email to let me download pictures that are up on the
 [21] Internet and they do biweekly reports. It's nice to see
 [22] that, that they're able to keep up and not be on the ground.

[23] I know you all just gave money to Pershing
 [24] County. I spoke to Benny Hodges on Monday, he's back to
 [25] work and doing okay. They're finished with Coffey Dam,

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[1] they're diverting water to the irrigation system. I've
 [2] received a draft report from Dan Dyer's work just this
 [3] morning. I can't give you a report on what they've seen
 [4] just yet, but as soon as I have a chance to read that I'll
 [5] send you an email to let you know what maybe they know about
 [6] the Rogers Dam.

[7] **CHAIRMAN KRAMER:** How much do you think we've
 [8] got into it?

[9] **MS. STAMATES:** Benny estimated he was somewhere
 [10] between 460,000 and 520,000. He had some reconciliations to
 [11] do with the construction company and some of the equipment
 [12] they rented.

[13] **CHAIRMAN KRAMER:** That's excellent considering
 [14] what they were up against.

[15] **MS. STAMATES:** That's the best he's been able to
 [16] determine, but there were some gentlemen's agreements
 [17] probably made that maybe aren't being adhered to right now,
 [18] so I think he's trying to work those out.

[19] The water meters are going in in Magill, that's
 [20] going fine. Golconda is done — I'm sorry, Manhattan is
 [21] nowhere right now. They're still working with the Forest
 [22] Service to get permission to do that spring drilling. I
 [23] don't know if we're going to hear much from them. The
 [24] Forest Service is not moving very fast.

[25] **MEMBER GOETSCH:** Back to the metered thing for a

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[1] minute. Because of what we heard today, are there any other
 [2] funded projects in this packet that we've set up the same
 [3] kind of dilemma where we've ordered somebody to meter but
 [4] they have no requirement to actually use the meters?

[5] **CHAIRMAN KRAMER:** I couldn't remember that
 [6] without going back and reading it.

[7] **MEMBER GOETSCH:** Is there a way of cleaning that
 [8] up so we don't find ourselves in a position where we made
 [9] somebody spend the money to put in meters but they have no
 [10] mandate to operate the meters?

[11] **MS. STAMATES:** I don't know what opportunity I
 [12] have to change funding agreements.

[13] **MEMBER GOETSCH:** Not to make you change it, but
 [14] can you make up the wording if we have that issue
 [15] potentially in other places so that we can think about what
 [16] we want to do about that?

[17] **MS. STAMATES:** Those are some of the things we
 [18] said we'd review if they came back for another grant, but
 [19] I'll go through each one of these and let you know if there
 [20] are any others that are going into metered or are supposed
 [21] to be metering but aren't.

[22] Goldfield is done with their pilot testing.
 [23] They pilot tested everything under the sun from what I can
 [24] see. I should see a draft PER from them this month, but for
 [25] the money that they've spent I'd like to say they did an

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[1] awfully nice job. They got a lot testing done, a lot of
[2] these people wanted to try things and that's a pretty good
[3] number. That's a number I'd like to hold everybody to.
[4] Metropolis, as far as their grant for
[5] engineering and permitting, they're still waiting for the
[6] match funding from NDOT, so we've not signed that funding
[7] agreement yet.

[8] **MEMBER SCOTT:** They thought that was imminent
[9] when we were up there. I thought it just hasn't happened,
[10] huh?

[11] **MS. STAMATES:** It hasn't.

[12] **CHAIRMAN KRAMER:** Well, we've done our duty.

[13] **MS. STAMATES:** Do you have any other questions
[14] about a certain project?

[15] **MEMBER GOETSCH:** Not about other projects, but
[16] the other thing we addressed multiple times today is the 1.5
[17] percent median house income for water rates. Where did that
[18] 1.5 come from? Did we generate that number or is that a
[19] State number derived from something else?

[20] **MS. STAMATES:** I'm going to defer that.

[21] **MR. WALSACK:** I can answer that. That is a
[22] federal government USDA Rural Development number, the 1.5
[23] percent. This State has followed along with that. The feds
[24] are currently, USDA Rural Development is currently looking
[25] at a nationwide program to increase that to two percent of

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[1] the median household income.

[2] I do not believe that it will be successful in
[3] the farm bill process to get that as a national standard. I
[4] do think — I know there are states in this country under
[5] federal government rules that are trying to initiate the two
[6] percent. One of the arguments is two percent for water, how
[7] much for sewer and what if they're combined. That is some
[8] of the things that the affordability committee is looking
[9] at.

[10] **MEMBER GOETSCH:** I guess I would just offer that
[11] in the old days when water was plentiful and wasn't an
[12] issue, this one or 1.5 percent was probably a valid figure.
[13] In what's happening in the world today, the value of water
[14] compared to everything else in the world is going up closer
[15] to the value of gold than what it used to be. I don't think
[16] that's a realistic figure anymore and I think the Board
[17] ought to look at and the State ought to look at what we can
[18] do to bring that into the modern day.

[19] **MS. STAMATES:** That goes along with the 22,000
[20] gallons water rate based on 22,000 gallons appears to be
[21] unreasonable and it's where we set the bar at.

[22] **MEMBER GOETSCH:** Who would that be? Is that
[23] your office, the State Engineer? Who has the ability to
[24] look at those things and say they may not any longer be
[25] applicable and there should be a new number?

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[1] **MS. BASHAM:** It's my understanding that decision
[2] was purely at the discretion of the Board.

[3] **CHAIRMAN KRAMER:** Yes. Originally, many, many
[4] years ago.

[5] **MEMBER GOETSCH:** First we need to know the
[6] legality of venturing down on a different path than the
[7] federal USDA number, if there are any legal issues with us
[8] departing from consistency with that, and food for thought
[9] maybe for next time, that the Board Members think about that
[10] figure and what we've seen in some of our recent applicants,
[11] anywhere between five percent median income to the minimum
[12] 1.5.

[13] If you look at the 1.5 figures they seem to be
[14] very low payments compared to the average of what we see
[15] statewide. In my own mind I'm not sure I agree that that
[16] should be the minimum figure.

[17] **MEMBER FIRTH:** I'd be interested in — mostly
[18] what we see is small water systems and generally lower
[19] income areas. I'm wondering what that number really is in a
[20] system like Las Vegas or TMWA, large, large systems with all
[21] types across-the-board.

[22] **MS. WILSON:** I actually had comparisons in like
[23] the southern Nevada area for water rates for the 22,000
[24] gallons and I can pass those out. Of course Kyle Canyon is
[25] in red.

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[1] **MR. WALSACK:** I can also offer up USDA Rural
[2] Development has a spread sheet of all the water rates in the
[3] state of Nevada and it prints out on a big sheet of paper.
[4] My sheet is six feet long, every water system in the state
[5] with capital improvement information in there, contact
[6] information. My document is six feet long and now I
[7] understand the document is a little shorter but we could
[8] provide that to you at the next meeting.

[9] **MEMBER GOETSCH:** I think that would be
[10] interesting to see what the average is.

[11] **MR. WALSACK:** We have it electronically now.

[12] **MEMBER SCOTT:** It might be helpful and I know,
[13] Michelle, you'll like this, if we let Michelle take a look
[14] at it and size it a little bit to something more permanent.
[15] The other thing I'd like to look at is exploring, and I
[16] think TMWA still has a dual rate where you have a metered
[17] rate and a flat rate, and I think we ought to look at that
[18] because from some of the discussions today we might want to
[19] lean in that direction on certain systems especially if we
[20] have a long distance between now and full metering. I'd
[21] like to be able to offer some thoughts to some of our
[22] applicants in that vein as well.

[23] **MEMBER FIRTH:** You have to be careful with
[24] TMWA's because they are driving the flat rate up much faster
[25] so they can encourage people to go on their meters.

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[1] **MEMBER SCOTT:** That's exactly my point. Using
[2] that mechanism to help get metering in place even if all of
[3] the phases, for example, aren't quite in yet but incentivize
[4] it.

[5] **CHAIRMAN KRAMER:** Can I break in here and ask,
[6] Stephanie is getting ready to have to bolt here. Is there
[7] anything else that we need to discuss before Stephanie
[8] leaves?

[9] **MS. STAMATES:** Yes, I would look you to look at
[10] adopting the NACs.

[11] **MEMBER SCOTT:** It's been so long in getting to
[12] you. I don't mean you, I mean the Legislative Counsel
[13] Bureau. What was it, we couldn't get to it sooner?

[14] **MS. STAMATES:** I don't know what happened in
[15] 2004 and they're here now. I tried to give — I think what
[16] they changed is basically acceptable and I would like to
[17] update you very briefly on this.

[18] There are a couple sections where they reference
[19] the water planning section of the Division of Water
[20] Resources of the Department. They do that because that is
[21] in the statute. Technically I work with the engineering
[22] section when they look at dam and irrigation systems, but
[23] unless there's a change to 454.005, subsection 6, we need to
[24] reference the water planning section and I don't find that a
[25] show stopper but I did mention it to you when they pointed

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[1] out where they will adhere to that. Until the statutes are
[2] changed, that can't change in our regs.

[3] **MEMBER GOETSCH:** So even though it's not
[4] technically correct we know who it refers to and we can work
[5] under it?

[6] **MS. STAMATES:** I've had no problem working with
[7] the State Engineer's office in any of the sections. I don't
[8] think this is a real show stopper but as you read you see
[9] this.

[10] **MEMBER SCOTT:** It's all the same office and
[11] division.

[12] **MS. STAMATES:** It is, but you have the ability
[13] to ask them, that section to do something. You don't have
[14] the right or the ability by statute to ask the engineering
[15] section to do anything. That's the only thing I just wanted
[16] to make you aware of.

[17] **MEMBER SCOTT:** I think you've done just fine in
[18] getting responses from their engineering and dam section.

[19] **MS. STAMATES:** Maybe they don't know about this.

[20] **CHAIRMAN KRAMER:** Is there anything that you
[21] need say before you go, Stephanie?

[22] **MEMBER ZIMMERMAN:** I have no comment on the regs
[23] and I would vote yes.

[24] **MS. STAMATES:** Make a motion to adopt them.

[25] **CHAIRMAN KRAMER:** Do we have a motion on the

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[1] floor to adopt them?

[2] **MEMBER ZIMMERMAN:** I'll make a motion to approve
[3] the regulations as presented.

[4] **MEMBER SCOTT:** Second.

[5] **CHAIRMAN KRAMER:** We have a motion and second.
[6] Hearing no more argument, we'll vote on the motion. All
[7] those in favor signify by saying aye. Opposed? Motion
[8] carries.

[9] (The vote was unanimously in favor of motion.)

[10] **CHAIRMAN KRAMER:** Any public comments?

[11] **MR. PORTA:** Tom Porta, NDEP. I wanted to update
[12] the Board on some recent testimony that was provided, Leo
[13] Drozdoff provided to the committee that's looking at water
[14] related service in Washoe County and some of the funding
[15] recommendations coming out of that commission. I believe
[16] Brad was at that meeting as well. It was a work session.

[17] They were three funding recommendations, one was
[18] to continue SB 26 for funding the \$1 million per year. Leo
[19] asked that first of all if that is the case, that they
[20] provide some clear direction in the statute.

[21] **CHAIRMAN KRAMER:** You mean SB 62?

[22] **MR. PORTA:** Yes. I transposed the numbers
[23] there. That they provide clear direction as to why they
[24] want the intent of the money spent versus what they did last
[25] time. Also he wanted the committee to acknowledge the

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[1] Board's work with regard to getting the money out fairly and
[2] equitably in a timely fashion and they did that, so they
[3] commended your work for doing that.

[4] The two other requests or recommendations for
[5] funding, one was another \$1 million again to be run through
[6] this Board for information management. As information comes
[7] in under SB 62 and other water related information, it was
[8] felt that resources were needed to manage the data, house it
[9] and utilize that information and that the \$1 million be
[10] appropriated to develop a system.

[11] The third one was a funding recommendation for
[12] resource capacity to handle growth. We had a couple of
[13] comments on this. There was no dollar amount given but we
[14] assume it's going to be fairly significant if it does go
[15] through and Leo's recommendation on this for obvious reasons
[16] was the fact that again direction must be provided, but that
[17] this funding source should not somehow replace or interfere
[18] with the existing water system needs of the state.

[19] In other words, you all shouldn't be deciding on
[20] uranium removal at Gerlach versus funding growth in some
[21] other place and he was very clear on that, that if that goes
[22] forward that has to be done.

[23] The last and final comment he made was with
[24] regard to all these funding sources, that this Board and
[25] NDEP are basically at the limits now. So any additional

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[1] funding that comes through that this Board has to handle and
[2] our staff has to handle will have to have additional
[3] resources to do so.

[4] **CHAIRMAN KRAMER:** Very good. I don't think this
[5] Board minds doing it as long as we're not put in the
[6] position we were last time with 62 which happened all the
[7] way down the line because the legislature said give it to
[8] the Water Board and the Water Board went — we did the best
[9] we could and I think we did a damn fine job frankly.

[10] **MR. PORTA:** They acknowledge that and any
[11] additional funding that comes through this Board additional
[12] resources are necessary. Commissioner Goetsch?

[13] **MEMBER GOETSCH:** I got the impression that they
[14] had a propensity to look at, one, to bring more money to
[15] bring on water issues and just to push it on this group and
[16] say they've done a good job in the past, they can handle
[17] these new programs. It was nice to have the statement but I
[18] felt the legislators were just like throwing some money at
[19] them and let them take care of it, so we've got to be
[20] careful.

[21] **CHAIRMAN KRAMER:** We always try to be careful.

[22] **MEMBER ZIMMERMAN:** What's driving the funding of
[23] studies for the resource management for growth?

[24] **MR. PORTA:** Well, I can't —

[25] **MEMBER GOETSCH:** That has to do with the whole

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[1] statewide inventory proposal and Senator Amodei's push to
[2] have regional and interbasin transfers and where are we
[3] going to be able to find resources, where is that need and
[4] how do we match the need for resources and things along
[5] those lines on a comprehensive picture for the State instead
[6] of on a county-or-county or city-by-city basis.

[7] **MEMBER ZIMMERMAN:** So the interbasin when you
[8] say transferring from one region to another?

[9] **MEMBER GOETSCH:** Resources match to requirements
[10] statewide.

[11] **MEMBER SCOTT:** In addition to the obvious ones
[12] in the south, you've got big concerns in places like
[13] Pershing and Humboldt Counties over what's going to happen
[14] in Washoe County and you've got Eureka County and the
[15] central areas concerned and they were trying to do some
[16] legislation last session that limited interbasin transfers
[17] and the other things and the net result was basically SB 62.

[18] I think it's the same concern but the people
[19] that look at it I think keep running into the fact that the
[20] level of knowledge is kind of limited in a lot of these
[21] places and it probably gets to some degree to the issue of
[22] having a storage area, somebody who is keeping track of this
[23] and keeping it together in sort of a central repository.

[24] I was going to ask Tom, did they discuss where
[25] or how that might come about if they're going to put \$1

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[1] million into that kind of a thing?

[2] **MEMBER GOETSCH:** What's his name, the Ph.D. from
[3] the central Nevada region, John, had some suggestions about
[4] this data storage capability and the programs that could be
[5] a central repository that people could visit a web site to
[6] basically compile all of the information.

[7] **MEMBER SCOTT:** And that does take a lot of
[8] management.

[9] **MEMBER ZIMMERMAN:** So the management of the
[10] resources for growth you thought might be a much larger
[11] number?

[12] **MR. PORTA:** I think so.

[13] **MEMBER SCOTT:** Yes, especially even identifying
[14] areas for study. It would require a lot of effort.

[15] **MS. HUYEN:** Mr. Chairman, so we have a clean
[16] record, can we rescind that motion and make a new motion so
[17] we have the motion and vote after public comment?

[18] **MEMBER SCOTT:** Sure. What was the last motion?

[19] **MEMBER SCOTT:** We had the motion before the
[20] public comment and we just had some public comment.

[21] **CHAIRMAN KRAMER:** Let's clean it up.

[22] **MEMBER SCOTT:** I would move to approve the
[23] revised proposed regulation for the Board for Financing
[24] Water Projects, designated LCB file number R104-04, August
[25] 7th, 2006.

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[1] **MEMBER ZIMMERMAN:** Second.

[2] **CHAIRMAN KRAMER:** All those in favor of the
[3] motion signify by saying aye. Opposed? Motion carries.

[4] (The vote was unanimously in favor of motion.)

[5] **MEMBER ZIMMERMAN:** I'm going to go ahead and
[6] leave and catch a flight, but I'm in agreement with Brad on
[7] taking a look at these water rates and the one and a half
[8] percent.

[9] **CHAIRMAN KRAMER:** I agree too because it seems
[10] like people come before us and say one and a half percent,
[11] we're not going to go above that, but some places can pay
[12] more than one and a half percent if they were asked to be or
[13] if they were shown that they need.

[14] **MEMBER ZIMMERMAN:** If they lived in an area
[15] where there were more people like in the district area or
[16] where I live, your bill would be 60 to \$80 a month minimum.

[17] **MEMBER SCOTT:** We need to explore it. It's a
[18] slippery slope because you get some of these people in a
[19] rural area with virtually no income and one and a half
[20] percent is significant, but the problem is if you go outside
[21] the one and a half you're increasing the cost of water
[22] faster than their income. But when you look at the needs
[23] for arsenic and other things we have a greater requirement.

[24] I think it does deserve to be looked at.

[25] (Member Zimmerman left the hearing room.)

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[1] **MR. PELANGER:** Is this still public comment
[2] because I have a couple of comments related to that?
[3] **CHAIRMAN KRAMER:** On public comment.
[4] **MR. PELANGER:** Related to that, this whole
[5] notion of reasonable water rates and tying it to the MHI,
[6] while it ensures that wealthier communities pay more for a
[7] reasonable water rate it doesn't address a couple of issues.
[8] It doesn't address the number of people that are in that
[9] community. If you have four wealthy people and you raise
[10] the water rate to a certain level there's still going to be
[11] a significant impact on those four people or 100 people or
[12] whatever that number is.
[13] One of the things I think you have to tie in if
[14] you're going to talk about water rates is you need to tie in
[15] some notion of consumption because those communities, for a
[16] system that has a metered system, then you already have
[17] potentially a notion of consumption tied into the rate but
[18] for flat rate systems, just raising the flat rate to a
[19] certain level that doesn't —
[20] **CHAIRMAN KRAMER:** The rich people have the money
[21] but the poorer people don't.
[22] **MR. PELANGER:** As a result of the 50 above and
[23] 50 below you have in these communities like in Kyle Canyon
[24] where you have some wealthy people who live there just
[25] during the summers when they want to get out of the Las

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[1] Vegas heat, and then you have some people that have lived
[2] there for 40 years, maybe longer, 50 years and have very
[3] modest homes, they don't have very big incomes and they're
[4] being impacted by these rules.
[5] **CHAIRMAN KRAMER:** Do you have information on
[6] that? Over the years that I was there a blighted area in my
[7] career tends to evolve especially in an area like Mount
[8] Charleston and the lake from a lower clientele to a more
[9] affluent clientele.
[10] I know what I paid for my home there when I
[11] lived there, and God, I still wish I owned it and it seems
[12] like to me that the demographics as far as the number of
[13] wealthy people or people who have more money is going up or
[14] should be going up there. I know lots of people who lived
[15] there just because they've been there for the weather or not
[16] a long time but as they move away or whatever, pass away,
[17] the property turns.
[18] In Kyle Canyon I would have never believed that
[19] you can build on them and they have built multi-million
[20] dollar homes on it.
[21] **MS. WILSON:** The newer homes are bigger homes
[22] but I do believe that the 50 percent above and 50 percent
[23] below is wider in Kyle Canyon, than many other average
[24] communities use the census from 2000 also said that about 20
[25] percent, I think it was 17 percent of households make less

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[1] than 30,000 and that's not a very high number.
[2] 30,000 is half of 60,000 which is where the
[3] median household income is and to charge those same
[4] customers these really high significant water rates compared
[5] to customers who make 200,000 just really is not equitable.
[6] **MEMBER GOETSCH:** I kind of agree and I kind of
[7] don't. System wide if you don't charge the customers on a
[8] system the cost of the system, then other people end up
[9] bearing the cost. So we really — the goal is to have the
[10] customers bear the cost of the system and I would agree.
[11] If you went up to five percent that would be
[12] truly harmful. When we're talking about half a percentage
[13] to balance out and I also think that incentivizes systems to
[14] meter. If the cost is going to be a specific cost, then if
[15] you have folks paying for what they use that I believe
[16] incentivizes for a metered system and the folks that need to
[17] conserve will and those that don't won't. That's a
[18] consideration we need to have.
[19] I'm not sure that it negates the goodness of
[20] raising it to a more realistic cost.
[21] **MR. PELANGER:** I don't necessarily disagree with
[22] that philosophy. I think there needs to be someplace for
[23] these systems that have small populations that have
[24] legitimate needs but are wealthier and the way that the
[25] structure is now you have to get a grant between 51.1 and

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[1] 87 percent and that's based on that formula. The percentage
[2] of the eligible costs and the statute says it has to be
[3] between 25 and 85 percent or something like that.
[4] **MS. STAMATES:** The Board's policy is based on
[5] the statute. It's not an exact inverse. You have to do the
[6] calculation.
[7] **MR. PELANGER:** But it means you may have some
[8] communities that because of the inverse have a lesser need
[9] but they don't qualify for a 57 percent grant, they might
[10] qualify for a 30 or 40 percent grant and there should be
[11] some sort of a mechanism I think in place in the policy that
[12] allows a community to stay within those parameters of the
[13] law.
[14] **CHAIRMAN KRAMER:** If that's in our statute then
[15] we need to get the legislature to change the statute.
[16] **MR. PELANGER:** We'd be happy to help you.
[17] **CHAIRMAN KRAMER:** I don't know if we want help
[18] in that. I think it has to be initiated by somebody. We
[19] just follow the rules that are given to us or try to.
[20] **MEMBER SCOTT:** But if we have an unserved
[21] population we probably would at least want to look at that.
[22] **CHAIRMAN KRAMER:** I understand what your problem
[23] is. I don't know if I necessarily totally agree with you,
[24] but if you talk about everything being on a metered posture
[25] which I was amazed when you told me that you haven't been

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[1] putting meters in for —

[2] **MR. PELANGER:** We meter new connections.

[3] **CHAIRMAN KRAMER:** But there's 351 connections
[4] that aren't metered. When I left everything was metered and
[5] it was supposed to be. Somewhere between then and now
[6] probably before you and the rest of us it stopped. I don't
[7] know why.

[8] Anyway, why don't you when we talk about Kyle
[9] Canyon, if you can get us any more demographics I think it
[10] would be interesting to see in our deliberations.

[11] **MEMBER SCOTT:** Michelle, have you had people
[12] come to you that don't qualify?

[13] **MS. STAMATES:** As far as the math goes, yes.

[14] **MEMBER SCOTT:** Would they be addressed by what
[15] Andy is saying if we went down to a 25 percent grant level
[16] or something like that?

[17] **MS. STAMATES:** I think you have to consider what
[18] your mandate is, who you're trying — what infrastructure
[19] needs, what chronic health needs, what the immediate needs
[20] are. Right now giving a minimum of 57.1 is not necessarily
[21] a bad thing.

[22] You do have a couple of grantees out there,
[23] Churchill County, I don't know how they get 54.48 or
[24] something like that and you've got Virgin Valley that asked
[25] for 30 percent and you gave them that. That was before my

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[1] time and how those numbers came about I don't know. I'm
[2] almost old in the program, but I'm following the regs and
[3] the statutes and it says that's the minimum I'm allowed to
[4] give. I checked with our AG.

[5] **MEMBER SCOTT:** As I recall on Virgin Valley they
[6] had gotten a number of sources together and they came to us
[7] and said we need 30 percent to make it work but we said it's
[8] a big number you've got and we're happy to pay less than 57
[9] and we thanked them for getting all the grants they have.

[10] **MEMBER GOETSCH:** Churchill is asking for less
[11] and you're still fighting over that?

[12] **MS. STAMATES:** If Churchill had bothered to
[13] bring the numbers earlier we might have been able to
[14] reconcile that, but we didn't get there so we have to go
[15] again. So you have to step out again.

[16] **MEMBER GOETSCH:** With all that money we gave
[17] away today?

[18] **MR. PELANGER:** From our perspective the statute
[19] says the Board shall develop a scale to be used to determine
[20] that amount but the recipients are not required to provide a
[21] lesser amount less than 15 percent or more than 75 percent
[22] of the amount of the grant and I think the hang-up is the
[23] discussion of what the amount of the grant is.

[24] I've looked at the way the policy is developed.
[25] It makes sense but it's very circuitous. And I wonder

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[1] whether it might make sense to say something like of the
[2] total eligible costs or something. That then gives
[3] discretion to the Board to grant between 50 and 75 percent
[4] instead of between 57 and 87 percent because I can't
[5] guarantee but I'm pretty confident that what the legislature
[6] intended was for the ability to make grants within the broad
[7] swath of percentages, not within a 30 percent range within
[8] the upper end of the proposal.

[9] If that requires a legislative change and that's
[10] the direction of this Board, we would be happy to support
[11] that. We have been a strong supporter of the Board before
[12] and it's a —

[13] **MS. STAMATES:** We don't change the statute. I
[14] think we've missed the deadline by the way.

[15] **MEMBER SCOTT:** I think it's our regs under the
[16] statutes.

[17] **MS. STAMATES:** Our regs, your policy follows the
[18] statute.

[19] **MEMBER SCOTT:** Is 57 percent in the statute?

[20] **MS. STAMATES:** No. You have to do the math that
[21] Tom Whalen worked out in your policy. He did a good job in
[22] working that out. Maybe Craig Steele did some of that
[23] before him, but they interpreted what was said in the
[24] statute and came up with that boundary for issuing a grant
[25] based on eligibility.

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[1] **CHAIRMAN KRAMER:** I remember that. That was
[2] arduous.

[3] **MR. PENNINGTON:** Used to be you could give up 85
[4] percent and a lot of them went out the door just like that
[5] and then people got a little more conservative. If you
[6] don't get what you wish for you might get 15. I don't know.

[7] **MR. PELANGER:** And I appreciate that. What I'm
[8] saying is I think it would help to have a little bit more
[9] discretion on the part of the Board to make those
[10] determinations based on the MHI because then you do have
[11] more, as long as you're not pulling more people off.

[12] **MEMBER GOETSCH:** We could have helped some of
[13] the people that we struggled with that over but not gave
[14] them. I would ask if staff has the time to look at that and
[15] give us an opinion whether you think, what would have to be
[16] done to do that and if you think it's worthwhile or not.

[17] **MS. STAMATES:** I've already talked to LCB. We
[18] have to request a change to the statutes. It's my
[19] understanding we might have missed the deadline. It was the
[20] end of July.

[21] **MR. PORTA:** That's only for an agency to submit
[22] a BDR our time has passed. It would have to be initiated
[23] another way.

[24] **MEMBER GOETSCH:** The head of the finance
[25] committee it would be considered because they have the

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[1] ability to insert a BDR up until next year, so there's a lot
[2] of flexibility in that.

[3] **CHAIRMAN KRAMER:** I think it's an interesting
[4] commentary that you bring up about the MHI. I would say
[5] that fundamentally not being an extremely good person on
[6] understanding calculations of math and those type of issues,
[7] when it comes to MHI, how can a system — I don't need the
[8] answer today but as it pertains to Kyle Canyon, how can a
[9] system have a \$20,000 average increase in median house
[10] income and yet I think I hear you saying there's not that
[11] many rich people up there? It seems to me it has to take a
[12] lot of money to raise that MHI that high that fast.

[13] **MR. PELANGER:** I think you heard from Kingsbury
[14] today and some others that understanding what underlies that
[15] census track number is something that's very difficult.
[16] We're not confident that what we're looking at when you look
[17] at the Kyle Canyon number incorporates just the people that
[18] reside within the service area, or maybe it encompasses too
[19] many or too few, but you're relying on a census number that
[20] gives you the comfort for what this Board needs to make a
[21] decision on.

[22] Maybe what you want to do is use a broader
[23] number, the county MHI or a specific MHI but understand
[24] what's encompassed in that because I'm not sure we've done
[25] that analysis.

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[1] **CHAIRMAN KRAMER:** Is that hotel up there on the
[2] system?

[3] **MR. PELANGER:** Yes, it is.

[4] **MS. WILSON:** The lodge is but the hotel is not.

[5] **CHAIRMAN KRAMER:** You ought to go after them.
[6] I'd go after the one at the bottom somehow. My God, that's
[7] a revenue source you need to get. They're inside the
[8] district.

[9] **MR. PELANGER:** That's a question of water law.
[10] They have separate water rights that they're using to meet
[11] their needs. It's a possibility. What I'm saying is the
[12] water district, Kyle Canyon, Searchlight, has been hesitant
[13] to go out and connect people to a municipal water system
[14] against their will even though we have the authority to do
[15] so. I'm not sure there are many communities in the entire
[16] state that will.

[17] **CHAIRMAN KRAMER:** So they're on their own well?

[18] **MR. PELANGER:** They're pumping water, they've
[19] must have a water right.

[20] **MS. BASHAM:** I have a comment on the whole image
[21] that you're talking about. When I develop the Priority List
[22] we use MHI and that's where the AB 198 program gets their
[23] MHI is from the priority list and I have spent a
[24] considerable amount of time looking at this and thinking
[25] about it.

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[1] The last go-around after the 2000 census data
[2] came out, which wasn't really available until 2002, that
[3] year when I usually build the Priority List I looked at
[4] detail at every detail in the Priority List and the mapping
[5] that you can look at on the census web page and compared
[6] that to try to match up census blocks with service areas.

[7] So I'm fairly confident with the image that I,
[8] the numbers that we have on the Priority List and when I'm
[9] not, then we ask for an income survey.

[10] **MEMBER GOETSCH:** Somebody who goes out and does
[11] that?

[12] **MR. WALSACK:** I do. I have done more income
[13] surveys than any other water person in the state of Nevada.
[14] I have done nine of them under the SRF.

[15] **MEMBER GOETSCH:** Let me ask you a question.
[16] With Imlay or Kyle Canyon with 200 residents and if Bill
[17] Gates moved into the neighborhood who makes \$2 billion a
[18] year, would the MHI go up?

[19] **MR. WALSACK:** It's not just one person, it's the
[20] median, it's just one person, one number up on the list,
[21] that's it.

[22] **MS. STAMATES:** And Bill has to be a full-time
[23] resident.

[24] **MEMBER GOETSCH:** Those are reflective of median.
[25] Only it's four-year-old data.

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[1] **MR. WALSACK:** Adele is exactly right. When you
[2] look at the census track information, you need to understand
[3] a couple things from the U.S. census. It's one in six,
[4] that's their best number. They actually measure one person
[5] in six to get their median household income. That's it.

[6] We felt in certain communities that was not good
[7] enough because they're right on the cusp of some data.
[8] Imlay's data, their census block is 100 miles across.
[9] That's not the town boundaries. Kingsbury, Round Hill they
[10] have a lot tighter census block. We still did income
[11] surveys there and only once did it pan out really well for
[12] the community and they got to avoid the census track because
[13] it covered a bigger area for one tiny sliver of their city.

[14] A couple, like three or four blocks of the city
[15] were included in this census track and all the rich people
[16] up on the hills overlooking the town were included and that
[17] moved up their number because they got bumped out of CDBG
[18] eligibility.

[19] I had other comments but I got roped and tied.
[20] I will also tell you my other comments. There are two
[21] things to look at in my opinion. The 22,000 gallons came
[22] from Dana's division. That's where it came from because
[23] that's an unmetered water system in the very first days of
[24] that program. That's where we were looking to fund is water
[25] meters in unmetered systems, and that's where that 22,000

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[1] gallons comes from.

[2] We don't have that many fully unmetered systems
[3] anymore but we have some real winners. Elko, Reno, we are
[4] doing something in some of those communities to accelerate
[5] the process of insulation, but that is a huge issue that
[6] should rise to the priority of the Board and has.

[7] Kingsbury, Round Hill, all the ones we struggle
[8] with are not putting meters in, from the get-go fully
[9] metered. I don't care if you put the meter in some aluminum
[10] foil, your meter is in because without being able to charge
[11] with meters we're defeating our purpose. I can't tell you,
[12] but I think that number would be of interest to you.

[13] **CHAIRMAN KRAMER:** At least one major project
[14] would have been interested at Tahoe where we had those two
[15] communities, we wanted to get them the intertie and they had
[16] losses that go along with Battle Mountain's, 50 percent
[17] losses in their main line between the pump and the tanks and
[18] they didn't have meters?

[19] **MR. WALSACK:** 80 percent in Kingston and they
[20] were fully metered. That's something for the Board to keep
[21] harping on and I applaud those efforts to make sure folks
[22] are putting in water meters and billing by the metered rate.
[23] Thank you.

[24] **MEMBER FIRTH:** I get the feeling people are
[25] putting in meters because they were told to put them in and

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[1] they're just sitting in the ground rusting away and we're
[2] not using them and we've invested all that money. We've got
[3] nothing out of them.

[4] **MR. PENNINGTON:** The law says they have to.
[5] Unless you're a local ordinance like in Reno or you have a
[6] requirement there by the water system, there's no state
[7] agency.

[8] **MEMBER GOETSCH:** This Board has the ability to
[9] say you have two alternatives, a nonmetered rated that's
[10] fairly extreme or you meter and go by the metered rate.

[11] **MR. ANDERSON:** Just quickly on meters rusting,
[12] what we do with those that are installed up at Mount
[13] Charleston, our meter services group has put the firefly
[14] device on it, they patrol it actively which helps us
[15] determine if they have a leak on it. It's not used for
[16] billing at this time.

[17] On the flip side I live in Las Vegas and use
[18] 3,000 gallons a month. That's what my meter says and that's
[19] what I pay for.

[20] **CHAIRMAN KRAMER:** Well, Board, what do you want
[21] to do?

[22] **THE REPORTER:** I move the meeting be adjourned.

[23]
[24] (The proceedings concluded at 4:08 p.m.)
[25]

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[1] STATE OF NEVADA,)

) ss.

CARSON CITY.)

[2]
[3] I, MARY E. CAMERON, Official Court Reporter for
[4] the State of Nevada, Division of Environmental Protection,
[5] State Board For Financing Water Project, do hereby certify:

[6] That on Wednesday, the 23rd day of August, 2006, I
[7] was present at 901 South Stewart Street, Second Floor,
[8] Carson City, Nevada, for the purpose of reporting in
[9] verbatim stenotype notes the within-entitled public meeting;
[10] That the foregoing transcript, consisting of pages
[11] 1 through 268, inclusive, includes a full, true and correct
[12] transcription of my stenotype notes of said public meeting.

[13]
[14] Dated at Carson City, Nevada, this 29th day
[15] of August, 2006.

[16]
[17]
[18]
[19] **MARY E. CAMERON, CCR, RPR**
[20] Nevada CCR #98

[21]
[22]
[23]
[24]
[25]

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